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# AMERICAN LAW AND PROCEDURE

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# STATUTORY CONSTRUCTION

BY

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## GLOSSARY

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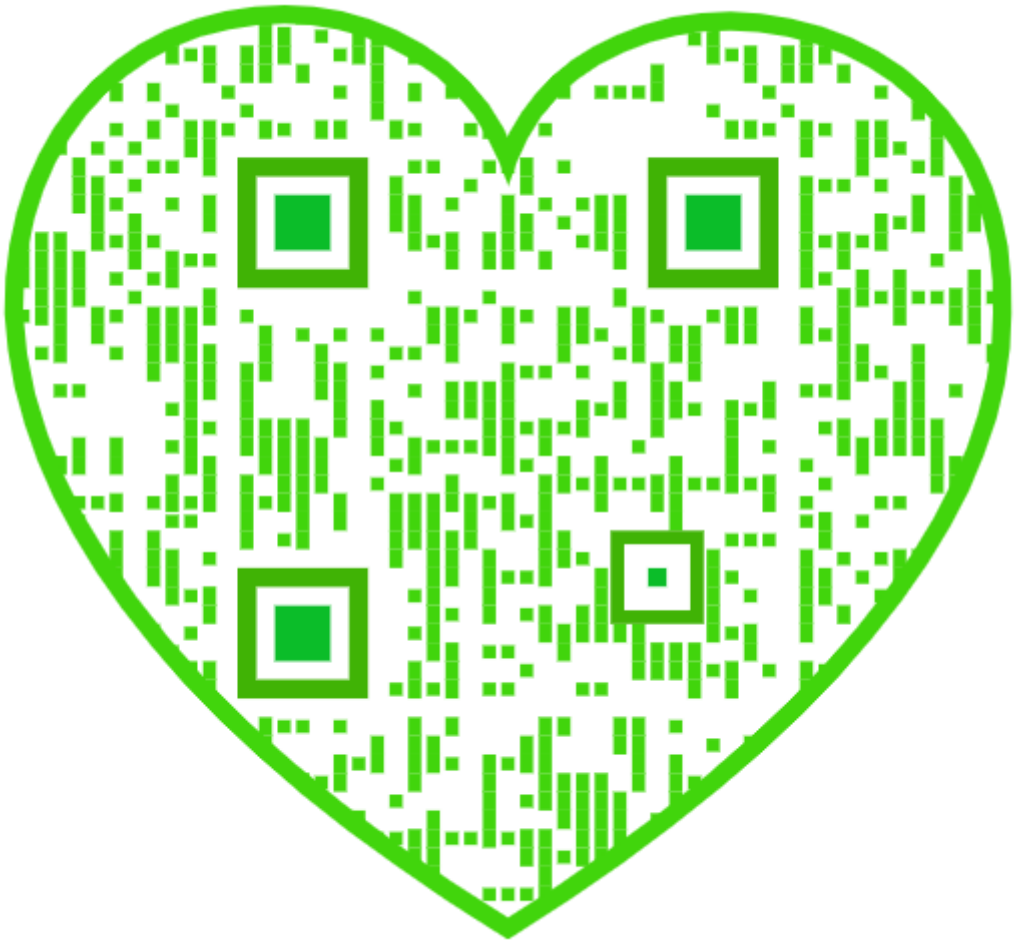

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# STATUTES

## CONSTRUCTION AND INTERPRETATION

BY

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## CHAPTER I.

### THE CONSTRUCTION AND INTERPRETATION OF STATUTES.

**§ 1. The necessity for construction and interpretation.** The lay reader would naturally suppose that there was no excuse for the enactment of law which needed any interpretation; that it was the duty of the Legislature to frame their enactments in such simple phrases as to be clear of doubt. But notwithstanding a great deal has been written by text writers and much said in decisions, the fact still remains that because of the imperfection of the language and the variety of circumstances to which it may apply, the construction of statutes by the courts for a considerable period of time is necessary before a cautious

practitioner would venture an absolute opinion as to the final meaning which will be placed upon the statute law. It is for this reason that wise jurists deprecate inconsiderate and hasty legislation, for in almost all cases it brings in its train a vast volume of litigation and it is only after a considerable period that the statute acquires a fixed meaning.

The example of the Statute of Frauds which was intended to settle the law, but which resulted in so much litigation that a distinguished jurist said that every line had cost a subsidy, shows how legislation generally works. The Statute of Uses and Trusts at the hands of judicial interpretation resulted in accomplishing almost the direct opposite of the object recited in its preamble. This necessity for interpretation has brought about a considerable body of law consisting of the principles and rules of construction.

§ 2. **What may be construed.** The general subjects of construction are constitutions and laws in the one class, and private documents in another class. The laws are again subject to subdivision into constitutions and statutes while private documents are easily distinguishable into three distinct classes, namely, dispositive documents or documents transmitting the title to property, as deeds, wills, bills of sale; those which create contractual relations or contracts; and another class which are really only evidentiary, that is, they evidence facts, like receipts.

It is intended in this connection, however, to treat only the subject of statutory construction. It should be borne in mind, however, that the general principles governing

the construction of constitutions and statutes are the same (1).

**§ 3. The various parts of a statute.** It may throw some light on the interpretation and the construction of a statute to understand something of the component elements which go to make up a statute. The word "statute" is used in modern law in a more restricted sense than was given to it anciently. In the Bible and very frequently in the legal nomenclature of the Middle Ages, the word "statute" referred to and included all law. But at the present time the word "statute" indicates a law deliberately passed by the legislature.

**§ 4. Same: The title.** Regularly every statute has a title, and notwithstanding it was formerly the rule that the title of an act was no part of it (2), under the modern rule which requires that the body of a statute shall not be broader than its title, the title of an act is necessarily an important part of the statute.

**§ 5. Same: The preamble.** The preamble of a statute is a recital generally introduced by the phrase, "Whereas it appears," &c., after which is stated the reasons why the legislature deem it necessary to pass an act. Preambles have in late years fallen greatly into disuse.

**§ 6. Same: The enacting clause or purview.** At the present time generally the first clause in the first section of an act, stating, in effect, that "It is hereby enacted by the General Assembly that" &c., is called the enacting

(1) Peo. v. Hutchinson, 172 Ill. 497.
(2) King v. Williams, 1 Wm. Blackstone, 93.

clause or purview. The body of the act describes or states the rule intended to be stated by the legislature.

§ 7. **Same: Provisos and exceptions.** A proviso in a statute is introduced to indicate the effect of certain things which are within the statute but accompanied with the peculiar conditions embraced within the proviso of the act.

Exceptions on the other hand have the effect of excluding from the operation of the statute certain things and in this respect they differ from provisos.

§ 8. **Same: Emergency clause.** An emergency clause of a statute, as it is called, is a clause which states in effect that it is highly desirable or necessary that the law should go into immediate effect and not await the rising of the legislature—that is, the adjournment of the body—but shall go into effect on the date when it has received all the sanctions required by the law such as due authentication by the clerks, Secretary of State, and the Governor.

### Section 1. Classification of Statutes.

§ 9. **Declaratory acts.** Statutes differ essentially in their nature. For example, a statute may be intended merely as a revision or a codification of existing law, avoiding as much as possible introduction of any new rule or principle. Such a statute is called a declaratory act.

§ 10. **Directory acts.** A directory act is one which indicates that a certain thing shall be done under certain circumstances, always in connection with some other more paramount object. It is called directory because even though there be some deviation or omission, that which

may be done supposedly under the statute may still have some validity or force although the directory clause of the statute is not complied with. Mandatory clauses in a statute are contrasted with directory clauses for the reason that they are imperatively commanded to be done, otherwise that which is done under the statute cannot have the sanction of the statute.

Generally speaking, when the word "may" is used it will be held to be directory and when the word "shall" or "must" is used generally the statute is mandatory. But the context or the subject may leave room for the interpretation of these words according to the evident intent of the Legislature.

**§ 11. Other classifications.** English statutes, in part entering into our jurisprudence and in part foreign, are distinguished as ancient and modern. In our system we have federal, state, colonial and territorial statutes. A generical classification of all statutes is as public or private. The former are divided into species of general, and local or special statutes. General statutes are further divided by other distinctions. In respect to duration they are temporary or perpetual; in respect to the date of taking effect, as prospective or retroactive; as to the nature of their operation, declaratory, permissive, prohibitive, preceptive, remedial, directory, mandatory or repealing statutes; as to form, affirmative or negative. Another large and important class of public statutes is designated as penal (3).

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(3) Sutherland on Stat. § 324.

§ 12. **Ancient statutes of England.** The statutes termed ancient are those adopted in Latin and French prior to the reign of Edward III., which commenced in 1327 (4). Since that time they are contradistinguished as nova statuta, and since the accession of Richard III., 1483, the statutes have been first printed in English, and entirely so since the time of Henry VII. (5).

Formally the judges formulated the statutes from the petition of the commons and the king's answer (6). All those passed at one session of parliament were strung together, making so many capitula or chapters of one statute, to which was usually prefixed a memorandum of the time and place of the meeting of parliament, and the occasion for calling it (7). On account of the generality or brevity of ancient statutes, a very liberal and latitudinary construction was practiced and held to be justifiable (8), not admitted of new or modern statutes (9). Hence, there is a wide distinction between the construction of ancient and modern statutes. This consideration should detract from the force of rules of intrepretation which originated in reasons peculiar to the administration of ancient statutes, and originating in the forms of legislation then in vogue and now obsolete, or displaced by others radically

(4) Dwarris (2d ed.), 460.

(5) Id.

(6) Hadden v. Collector, 5 Wall. 110; Bac. Abr., Court of Parliament, E.

(7) Dwarris, 460.

(8) Gwynne v. Burnell, 6 Bing. N. C. 561; Wilson v. Knubley, 7 East, 128; McWilliam v. Adams, 1 Macq. H. L. Cas. 120; Montrose Peerage, Id. 401.

(9) Miller v. Salomons, 7 Ex. 475; Bradley v. Clark, 5 T. R. 201; Waller v. Harris, 20 Wend. 555, 561; 32 Am. Dec. 590.

different. These ancient statutes are, so far as appropriate to our conditions and institutions, a part of our common law.

**§ 13. Federal, state, territorial and colonial statutes.** Federal statutes have force and are binding throughout the Union and the federal domain, or in such lesser part of it as the act professes to operate in. Treaties are also a part of the law (10).

The states have supreme power within their limits for local government, except as this power is restrained by the federal powers. With this limitation, for the purpose of local government, the states are supreme and independent (11). The law-making powers of state legislatures are plenary, subject only to the restrictions of the federal and state constitutions.

Colonial statutes are those in force in the colonies prior to their becoming states. Those laws which were suited to their new condition, politically and otherwise, continued to form part of the jurisprudence of the succeeding states until altered by later statutes. Territorial statutes are those enacted by territorial legislatures, pursuant to the authority of an act of congress (12).

**§ 14. Public and private statutes.** Blackstone defines a public act as a universal rule that regards the whole community, of which the courts are bound to take judicial notice; private acts are those which concern only a particular

(10) Const., art. 6, 2; United States v. Schooner Peggy, 1 Cranch, 103; Foster v. Neilson, 2 Pet. 253.

(11) Prigg v. Pennsylvania, 16 Pet. 539; New York v. Miln 11 Pet. 102.

(12) National Bank v. Yankton County, 101 U. S. 129.

species, thing or person, and of these the courts are not bound to take notice; they must be pleaded (13). Dwarris thus defines these statutes in contradistinction: "Public acts relate to the public at large, and private acts concern the particular interest or benefit of certain individuals or particular classes of men." A public act need not be a universal rule, in the sense that it must purport to apply to the whole territory or the entire people subject to the legislative jurisdiction. It may be applicable to only the smallest political division, or to a small class of the people, and still be a public statute. If it concern the public, and not merely a private interest, it is a public statute, though local or special (14). A public statute affects the public at large, either throughout the entire state or within the limits of a particular locality where the act operates; and a private statute relates to or affects a particular person, by name, or so that certain individuals or classes of persons are interested in a manner peculiar to themselves, and not in common with the entire community (15). The form or declaration of the legislature will not fix the character of a law, but this is to be determined by the effect. Otherwise the legislature could evade constitutional provisions (16). In a public act there may be a private clause (17). So, in a private act, there may be a provision of a public nature

(13) 1 Black. Com. 86.

(14) Clark v. Janesville, 10 Wis. 136; State v. Baltimore, 29 Md. 516; Wheeler v. Philadelphia, 77 Pa. St. 338; Brooks v. Hyde, 37 Cal. 366; Cox v. State, 8 Tex. App. 254, 287; 34 Am. Rep. 746; Powers v. Commonwealth, 90 Ky. 167.

(15) State v. Chambers, 93 N. C. 600; People v. Wright, 70 Ill. 388; Montague v. State, 54 Md. 481; State v. Helmes, 3 N. J. L. *1050.

(16) Hixon v. Burson, 54 Ch. St. 243.

(17) Potter's Dwarris, 53.

(18); and thus a statute may be public in one part and private in another. A public statute is local when it relates to a particular place or locality, or does not extend to all places which would classify with that to which the act is confined (19). It is special not only when it is local, but also when it is confined in its subject to less than a class of persons or things (20).

Public and private statutes are construed upon different considerations. In a late case Lord Esher, M. R., said: "In the case of a public act, you construe it keeping in view the fact that it must be taken to have been passed for the public advantage, and you apply certain fixed canons to its construction. In the case of a private act which is obtained by persons for their own benefit, you construe more strictly provisions which they allege to be in their favor, because the persons who obtain a private act ought to take care that it is so worded that that which they desire to obtain is plainly stated in it; but when the construction is perfectly clear, there is no difference between the modes of construing a private act and a public act" (21).

**§ 15. Declaratory statutes.** A declaratory act was originally one declaratory of the common law; such statutes were made, says Dwarris, "when an old custom of the

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(18) Rex v. Bugg, Skin. 428; Allentown v. Hower, 93 Pa. St. 332, 336; People v. Supervisors of Chautauqua Co., 43 N. Y. 10; Heridia v. Ayers, 12 Pick. 334.

(19) People v. Harper, 91 Ill. 357; State v. Judges, 21 Ohio St. 1; People v. Hills, 35 N. Y. 449, 451; Gaskin v. Meek, 42 Id. 186; Kerrigan v. Force, 68 id. 381.

(20) See Wheeler v. Philadelphia, 77 Pa. St. 338.

(21) Altrincham Union v. Cheshire Lines Committee, L. R. 15 Q. B. Div. 597, 603.

kingdom is almost fallen into disuse, or become disputable, in which case the parliament thinks proper,' in perpetuam rei testimonium,' and for avoiding all doubts and difficulties, to declare what the common law is and ever hath been'' (22). Such statutes are to be construed, if possible, according to the common law (23). They are expressed affirmatively or in negative terms. A statute made in the affirmative, without any negative expressed or implied, does not take away the common law (24). In other words, the common law continues to be construed as it was before the recognition by parliament. A declaratory statute should not retroact upon past controversies, or reverse decisions which the courts in the exercise of their undoubted authority have made. This would be the exercise of judicial power, which, if tolerated, might constitute the legislature a court of review in all cases where disappointed partisans could obtain a hearing after being dissatisfied with the rulings of the court (25).

A declaratory statute is sometimes intended to declare the meaning of an existing statute. Such statutes are akin to interpretation clauses,—they are futile and inoperative in legislation when designed to affect rights retrospectively; but will operate prospectively (26). A declaration

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(22) Dwar. on St. 475, 477. See Moog v. Randolph, 77 Ala. 597.

(23) People v. Butler, 16 John. 203; Hewey v. Nourse, 54 Me. 256; Freeman v. People, 4 Denio, 9, 20; 47 Am. Dec. 216; Baker v. Baker, 13 Cal. 87; Commonwealth v. Humphries, 7 Mass. 242.

(24) Wheaton v. Peters, 8 Wheat. 591; Thomp. v. Peo. 23 Wend. 578.

(25) Cooley, Const. Lim. 94; People v. Supervisors, 16 N. Y. 424. A mandate of the legislature to the judiciary, directing what construction shall be placed on existing statutes, is an assumption of judicial power, and unconstitutional. Governor v. Porter, 5 Humph. 165.

(26) Postmaster-General v. Early, 12 Wheat. 148, 6 L. Ed. 577;

in an act of the legislature as to what they intended in a preceding act does not make the law retrospectively what is so declared to be intended, if the previous act will not bear that interpretation; though such declared intention will be effective in the future (27). Such statutes will be construed, if possible, as intended only to lay down the rule for future cases (28).

§ 16. **Affirmative and negative statutes.** An affirmative statute is one which is enacted in affirmative terms. A negative statute is one expressed in negative terms. These statutes have very different effects; the former is generally cumulative, the other displaces existing rules. An affirmative statute does not take away the common law in relation to the same matter (29). An affirmative provision without any negative expressed or implied makes no alteration in any common-law rule in regard to the same subject-matter. A statute authorizing a tenant in fee to lease for twenty-one years did not affect his common-law right to lease for a longer period (30). An act authorizing a particular court to try a certain offense does not conflict with an earlier act giving power to another to try the same offense (31). Where an affirmative statute provides a new remedy for an existing right not inconsistent with the common-law remedy, the latter is not abolished; the new remedy is cu-

Reiser v. Tell Ass'n, 39 Pa. St. 137; Lincoln, etc. Ass'n v. Graham, 7 Neb. 173; Dash v. Van Kleeck, 7 John. 477, 5 Am. Dec. 291. See Chew Heong v. U. S., 112 U. S. 536.

(27) Bassett v. United States, 2 Ct. of Cl. 448.

(28) Todd v. Clapp, 118 Mass. 495; Shallow v. Salem, 136 id. 136.

(29) In Re Hatch 155 N. Y. 401; Bruce v. Schuyler, 9 Ill. 221; 46 Am. Dec. 447.

(30) Dwar. on St. 475.

(31) Co. Litt. 115*a*.

mulative, and the party possessing the right may pursue either at his election (32). The same rule applies as between successive statutory remedies or successive statutes creating rights, and against implied repeal (33). An affirmative statute giving a new right does not necessarily destroy a previously existing right, created by another statute to which it does not refer, but will do so if it appears to have been the intention of the legislature that the two rights should not exist together (34). Although a statute provides that a certain thing shall prove a certain fact, this does not render other proof incompetent unless it is explicitly so provided (35). The absence from the code of a principle which has been part of the jurisprudence does not impair its authority (36).

A negative statute is one expressed in negative terms. And here the rule prevails that if a subsequent statute, contrary to a former, has negative words, it shall be a repeal of the former; and a negative statute, it is said too, so binds the common law that a man cannot afterwards have recourse to the latter (37). Of this form and nature is the provision generally found in the statute of limitations that: "No acknowledgment or promise is sufficient evidence of a new or continuing contract, by which to take the case out of the operation of this statute, unless the same is con-

(32) Wheaton v. Peters, Note 24, above; Waldo v. Bell, 13 La. Ann. 329; Raudebaugh v. Shelley, 6 Ohio St. 307.

(33) Gohen v. Railroad Co., 2 Woods, 346, Fed. Cas. No. 5506; Cont. Election of Barber, In re, 86 Pa. St. 392.

(34) O'Flaherty v. McDowell, 6 H. L. Cas. 142; Stewart v. Greaves, 10 M. & W. 712.

(35) Bethlehem v. Watertown, 51 Conn. 490.

(36) Martin v. Jennings, 10 La. Ann. 553.

(37) 2 Inst. 388.

tained in some writing signed by the party to be charged thereby." Negative words make a statute imperative (38).

§ 17. **Same: Implied negative.** An affirmative statute may imply a negative (39). If a new power be given by an affirmative statute to a certain person by a particular designation, although it be an affirmative statute, still all other persons are in general excluded from the exercise of the power, since "expressio unius est exclusio alterius" (40). If a thing is limited to be done in a particular form or manner it excludes every other mode, and affirmative expressions introducing a new rule imply a negative (41). Affirmative words which are imperative, and therefore mandatory, imply a negative of anything contrary or alternative to the direction so given (42). Where an act requires that a juror shall have 20 pounds a year, and a later act that he shall have 20 marks, the latter implies an abrogation of the former, otherwise it would have no effect (43). There is an implied negative in statutes which are intended to prescribe the only rule to be observed; they repeal all acts which provide a different rule (44).

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(38) Bladen v. Philadelphia, 60 Pa. St. 464; State v. Smith, 67 Me. 328; Hurford v. Omaha, 4 Neb. 336; People v. Allen, 6 Wend. 486; Liverpool Borough Bank v. Turner, 2 De G. F. & J. 502; Rex v. Newcomb, 4 T. R. 368; Howard v. Bodington, L. R. 2 P. Div. 203, 211; Williams v. Swansea Canal Nav. Co., L. R. 3 Ex. 158.

(39) Peo. v. Hutchinson, 172 Ill. 497.

(40) The expression of one thing is the exclusion of another. See Peo. v. Hutchinson, Note 34, above.

(41) Id.

(42) Davison v. Gill, 1 East, 64; Bryan v. Sundberg, 5 Tex. 418.

(43) Rex v. Worcestershire, 5 M. & S. 457; Curtis v. Gill, 34 Conn. 49; Gorham v. Luckett, 6 B. Mon. 146; 1 Black, Com. 89.

(44) People v. Burt, 43 Cal. 561; Daviess v. Fairbairn, 3 How. 636;

Where a statute creates a right, and also provides the remedy, the latter is exclusive; it implies a negation of any other (45). So where the same statute creates an offense and prescribes the penalty and mode of procedure only what the statute provides is allowable (46).

The rule of the preceding paragraph is so strong that it may operate as a constitutional limitation on the legislature as illustrated by the following quotation: "There is not, it is true, anything in the Constitution which directly prohibits the Legislature from exacting another oath, in any other form, than that prescribed, to be taken by all officers, in the 4th Article—but Lord Coke says, (1 Inst. 381) that the most natural and genuine way of construing a statute, is to construe one part by another, of the same statute; for this best expresseth the meaning of the makers,

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Industrial School Dist. v. Whitehead, 13 N. J. Eq. 290; Roche v. Mayor, etc., 40 N. J. L. 257; Swann v. Buck, 40 Miss. 268; Riggs v. Brewer, 64 Ala. 282; Daw v. Metropolitan Board, 12 C. B. (N. S.) 161; Re Spring Street, 112 Pa. St. 258; Re Alley in Kutztown, 2 Woodw. Dec. (Pa.) 373; Sacramento v. Bird, 15 Cal. 294; State v. Conkling, 19 Id. 501.

(45) McCormack v. Terre Haute, etc., R. R., 9 Ind. 283; Camden v. Allen, 2 Dutch. 398. There are three classes of cases in which statutes deal with liabilities: (1) Where a liability existed at common law, and was only re-enacted by the statute with a special form of remedy; in such cases the plaintiff has his election unless the statute contains words necessarily excluding the common-law remedy. (2) Where a statute has created a liability but given no remedy, there a party may adopt an action of debt or other remedy at common law to enforce it. Wood v. Bank, 9 Cow. 194; Cole v. Thayer, 8 Cow. 249; Gallatian v. Cunningham, 8 Cow. 364; Judson v. Leach, 7 Cow. 152. (3) When the statute creates a liability not existing at common law and gives a particular remedy; here the party must adopt the form of remedy given by the statute. Vallance v. Falle, L. R. 13 Q. B. Div. 109; Bailey v. Bailey, L. R. 13 Q. B. Div. 859; O'Flaherty v. McDowell, 6 H. L. Cas. 143; Steward v. Greaves, 10 M. & W. 711.

(46) Braselaw v. State, 1 Yerg. 177.

and such construction is "ex visceribus actus." This rule is alike applicable to all writings, constitutions and compacts —and it is well remarked, by Judge Nott, in Cohen v. Hoff (2 Tread Rep. 671), that sometimes affirmative words necessarily imply a negative of what is not affirmed, as strongly as if expressed. That remark was applied to the question, whether an Act of the Legislature, authorizing the Governor, in case of the sickness of the Judge on circuit, so as to be unable to hold the Courts, to appoint a person to perform his duty, was or was not constitutional —and to see its full force, it will be necessary to remark, that the 6th Art. of the Constitution declares that the Judges of the Superior Courts shall be elected by both branches of the Legislature—and although negative terms are not introduced to restrain the appointment of Judges, in a different manner, that learned and able Judge came to the conclusion that the Constitution must be so understood. If one having authority prescribes the mode in which a particular act is to be done, can the agent who executed it substitute any other? Does not the act of prescribing the mode, necessarily imply a prohibition to all other modes?" (46).

§ 18. **Preceptive, prohibitive and permissive statutes.** When a statute commands certain actions, and regulates the forms and acts which ought to accompany them, it is called a preceptive statute (47). A prohibitive statute is one that forbids all actions which disturb the public repose, and injury to the right of others, or crimes and mis-

(46) The State v. Hunt, 2 Hill, S. C. 230. The case of Peo. v. Hutchinson, 172 Ill., 497, is a strong application of the rule.

(47) 1 Bouv. Inst. 48.

demeanors, or forbids certain acts in relation to the transmission of estates or the capacity of persons or other objects (48). A permissive statute is one which allows certain actions or things to be done without commanding them; as, for example, when it allows persons of a certain description, or, indeed, any person, to make a will (49), to pre-empt lands, to vote, or to form corporations. Of this nature is a statute which permits a candidate at an election at the polling place or canvass, or that a clergyman accused of an ecclesiastical offense may attend the proceedings of the commission appointed to inquire into the accusation (50). Such statutes confer a privilege or license which the donee may exercise or not at pleasure, having only his own convenience or interest to consult (51).

§ 19. **Prospective and retrospective statutes.** A prospective statute is one which regulates the future. It operates upon acts done and transactions occurring after it takes effect (52).

A retrospective statute, on the other hand, operates upon a subject already existing or an act done. Certain statutes of this nature are unjust, and, says Chancellor Kent, "are very generally considered as founded on unconstitutional principles, and consequently inoperative and void" (53). Of this obnoxious character are those affecting and chang-

(48) 1 Bouv. Inst. 48.

(49) Potter's Dwar. 74.

(50) Endl. on St. Int., § 310.

(51) Id. See Nicholl v. Allen, 1 B. & S. 934; Brocklank v. Whitehaven R. Co., 7 H. & N. 894; Rockwell v. Clark, 44 Conn. 534.

(52) Bouv. Inst. 49; Chew Heong v. U. S., 112 U. S. 536.

(53) 1 Kent's Com. 455.

ing vested rights (54); one which takes away or impairs any vested right under existing laws, or creates a new obligation, or imposes a new duty, or attaches a new disability in respect to transactions or considerations already past (55).

"Ex post facto" laws, and those impairing the obligation of contracts, are expressly forbidden by the federal and by state constitutions. The constitutions of some states expressly prohibit restrospective laws generally (56). To avoid injustice and unconstitutionality, it is always laid down as a rule of construction that a statute is to be taken or construed as prospective, unless its language is inconsistent with that interpretation (57).

All retrospective statutes, however, are not unjust or unconstitutional. A large class of remedial and curative statutes have been enacted with beneficent effect. They are liberally construed to carry out the intention of the legislature, in view of the intrinsic merit of the particular case and on a broad, fostering consideration of the general interest (58). Statutes relating to remedies and forms of procedure generally apply to rights already accrued, to

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(54) Bedford v. Shilling, 4 S. & R. 401; 8 Am. Dec. 718; Eakin v. Raub, 12 S. & R. 363; Society for Propagating the Gospel v. New Haven, 8 Wheat, 464, 493, 662.

(55) Merrill v. Sherburne, 1 N. H. 199; Dash v. Van Kleeck, 7 John. 477; 5 Am. Dec. 291; Douglass v. Pike, 101 U. S. 677.

(56) Rich v. Flanders, 39 N. H. 304; De Cordova v. Galveston, 4 Tex. 470; Goshorn v. Purcell, 11 Ohio St. 641.

(57) See Andrews Am. Law 2nd ed. p. 393-6; Dartruff v. Remey, 15 Iowa, 257; McEwen v. Den, 24 How. 242; Quackenbush v. Danks, 1 Denio, 128; S. C., 3 Denio, 594; Van Fleet v. Van Fleet, 49 Mich. 610.

(58) Sturgis v. Hull, 48 Vt. 302; State v. Smith, 38 Conn. 397; Ballard v. Ward, 89 Pa. St. 358; Austin v. Stevens, 24 Mo. 520; Baldwin v. Newark, 38 N. J. L. 158; Cook v. Sexton, 79 N. C. 305.

cases ripe for action, and actions pending (59); but subject to the principle that the right is not thereby destroyed or seriously impaired (60). The legislature is not restrained from all legislation which may prejudicially affect private interests not protected by the constitution (61).

§ 20. **Remedial statutes.** Remedial statutes are such as the name implies, embracing a great variety in detail; those enacted to afford a remedy, or to improve and facilitate remedies existing for the enforcement of rights and the redress of injuries; and also those intended for the correction of defects, mistakes and omissions in the civil institutions and administrative policy of the state. It is a rule that remedial statutes are to be liberally construed to suppress the evil and advance the remedy (62). But other rules also apply, even to particular provisions of such statutes which come within the general notion of remedial laws, and qualify and abridge the application of the rule of liberal construction, as will be seen hereafter. As, for example, statutes in derogation of the common law (63);

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(59) Sampeyreac v. United States, 7 Pet. 222; Blair v. Cary, 9 Wis. 543; Henschall v. Schmidt, 50 Mo. 454; Rivers v. Cole, 38 Iowa, 677; Hoa v. Lefranc, 18 La. Ann. 393.

(60) See Andrews Am. Law 2nd ed. 393. Wright v. Hale, 6 H. & N. 227; Mann v. McAtee, 37 Cal. 11; State v. Smith, 38 Conn. 397; Bradford v. Barclay, 42 Ala. 375; Reid v. State, 20 Ga. 681; Templeton v. Horne, 82 Ill. 491; United States v. Gilmore, 8 Wall. 330.

(61) See Charles River Bridge v. Warren Bridge, 11 Pet. 539; Commonwealth v. Logan, 12 Gray, 136.

(62) New Orleans v. St. Romes, 9 La. Ann. 573; First School Dist. v. Ufford, 52 Conn. 44; Buck v. Eureka, 97 Cal. 135; Union Pac. Ry. Co. v. De Busk, 12 Colo. 294.

(63) Burnside v. Whitney, 21 N. Y. 148; Dwelly v. Dwelly, 46 Me. 377; Harrison v. Leach, 4 W. Va. 383; Gibson v. Commonwealth, 87 Pa. St. 253; Thompson v. Clay, 60 Mich. 62.

or for taking private property for public use (64); statutes granting power (65), or authorizing summary proceedings for obtaining judgment, as by motion (66), writs of attachment (67), and those providing for any novel proceeding or remedy (68).

§ 21. **Penal statutes.** Penal statutes are often treated as contradistinguished from remedial statutes. They are not, however, in full and direct contrast. Penal statutes are those by which punishments are imposed for transgressions of the law. They are construed strictly and more or less so according to the severity of the penalty (69). When a law imposes a punishment which acts upon the offender alone, and not as a reparation to the party injured, and where it is entirely within the discretion of the law-giver, it will not be presumed that he intended it should extend further than is expressed; and humanity would require that it should be so limited in the construction (70). The general purpose or aim of a statute may be remedial; as where they provide punitive compensation to the injured

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(64) Powers' Appeal, 29 Mich. 504; Sharp v. Speir, 4 Hill, 76; Sharp v. Johnson, 4 id. 92, 40 Am. Dec. 259; Gilmer v. Lime Point, 19 Cal. 47.

(65) Best v. Gholson, 89 Ill. 465; Banks v. Darden, 18 Ga. 318; Morris Aqueduct v. Jones, 36 N. J. L. 206; Matthews v. Skinker, 62 Mo. 329.

(66) Hearn v. Ewin, 3 Cold. 399.

(67) McQueen v. Middletown, etc. Co., 16 John. 5; Edwards v. Davis, 16 John. 281.

(68) See Hubbell v. Denison, 20 Wend. 181; Dudley v. Mayhew, 3 N. Y. 9; Willard v. Fralick, 31 Mich. 431; Colgate v. Penn. Co., 102 N. Y. 127.

(69) Hall v. State, 20 Ohio, 7; Neb. Nat. Bank v. Walsh, 68 Ark. 433; Rex v. Williams, 1 Wm. Blk. 94; Bolles v. Outing Co., 175 U. S. 262.

(70) State v. Stephenson, 2 Bailey, 334.

party (71). But the provisions that enforce the wrong for which a penalty is provided, and those which define the punishment, are penal in their character and are construed accordingly (72). A statute may be remedial in one part and penal in another (73). And the same statute may be remedial for certain purposes, and liberally construed therefor, and at the same time be of such a nature, and operate with such harshness upon a class of offenders subject to it, that they are entitled to invoke the rule of strict construction (74). All of the provisions of criminal statutes are not construed strictly; they are construed strictly against the accused, and favorably and equitably for him (75), but reasonably with a view to effectuate the purpose of the act (76).

§ 22. **Repealing statutes.** Repealing statutes are revocations of former statutory enactments (76). A repeal may be in express words or by implication; as where a subsequent conflicting statute is enacted (77). To constitute a repeal by implication there must be a clear repugnancy or an absurdity in giving effect to both the new

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(71) Reed v. Northfield, 13 Pick. 94, 100; Stanley v. Wharton, 9 Price, 301; Palmer v. York Bank, 18 Me. 166; 86 Am. Dec. 710; Bayard v. Smith, 17 Wend. 88; Frohock v. Pattee, 38 Me. 103; Sloan v. Johnson, 14 S. & M. 47; Foote v. Vanzandt, 34 Miss. 40.

(72) Bay City, etc. R. R. Co. v. Austin, 21 Mich. 390; Smith v. Causey, 22 Ala. 568; Cohn v. Neeves, 40 Wis. 393; Le Forest v. Tolman, 117 Mass. 109; Swift v. Applebone, 23 Mich. 252.

(73) Wynne v. Middleton, 1 Wils. 126; Raynard v. Chase, 1 Burr. 2, 6; Smith v. Townsend, 148 U. S. 490, 13 S. C. Rep. 634, 37 L. Ed. 533.

(74) Hathaway v. Johnson, 55 N. Y. 93.

(75) 1 Hawk. P. C., Curwood's ed., 90; Myers v. State, 1 Conn. 502; Warrington v. Furbor, 8 East, 242.

(76) U. S. v. N. Y. C. Ry., 212 U. S. 500.

(77) Laurel Oil Co. v. Morrison, 212 U. S. 291.

and the old act (78). A void act does not of course affect former law, right, or remedy (79).

SECTION 2. PARTS OF A STATUTE AND THEIR RELATIONS.

§ 22a. **The title.** The English courts held the title to be no part of the act; it is said to be no more so than the title of a book is part of the book (77a). In strictness, Lord Coke said, it ought not to be taken into consideration at all (78a). It was generally framed by the clerk of the branch of parliament where the act originated, and was intended only as a convenient means of reference (79a). The same declaration, that the title is no part of the act, has been frequently made by judges in this country (80). But in modern practice the title is adopted by the legisla-

(78) Id. McChord v. C. N. O. & T. Ry., U. S.

(79) Raymond v. Hartford Ins. Co., 196 Ill. 344.

(77a) Mills v. Wilkins, 6 Mod. 62; Salkeld v. Johnson, 2 Ex. 253, 283; Rex v. Williams, 1 W. Bl. 93. In Ex parte Liddell, 93 Cal. 633, 635, the court says: "In olden times legislative titles were unknown; bills were drawn in the form of petitions, which were entered upon the parliament rolls. At the end of each parliament the judges put them in the form of a statute, and in that form they were entered on the statute rolls. It was not until the reign of Henry VI. that bills in the form of acts according to modern customs were first introduced. When titles were first introduced there was a general one for all the acts passed in the session, but in the first year of Henry VIII. distinct titles were introduced for each chapter. Until a comparatively recent date the title of an act in this country was regarded as no part of it; but if the language of the act was ambiguous the title might be considered in determining the intent of the legislators."

(78a) Attorney-General v. Weymouth, 1 Amb. 20; Powlter's Case, 11 Coke, 33.

(79a) Hadden v. The Collector, 5 Wall. 107, 110; Plummer v. People, 74 Ill. 361.

(80) Bradford v. Jones, 1 Md. 351, 370; Commonwealth v. Slifer, 53 Pa. St. 71; Plummer v. People, 74 Ill. 361, 363; Cohen v. Barrett, 5 Cal. 195; State v. Stephenson, 2 Bailey (S. C.), 334; People v. O'Neil, 54 Hun, 610, 8 N. Y. S. 123; State v. Woolard, 119 N. C. 779, 25 S. E. 719; United States v. McCrory, 119 Fed. 861 (C. C. A.).

ture, more thoroughly read than the act itself, and in many states is the subject of constitutional regulation. It is not an enacting part, but is in some sort a part of the act, though only a formal part (81), and this is held to be true even in states which have no constitutional provision on the subject (82). By the common law it could not control the plain words of a statute; it was resorted to only in cases of doubt for such aid as it could afford in removing ambiguities (83). An act may have effect as to persons and subjects broader than the title where the words are plain, and where there is no constitutional barrier (84). But if the meaning is doubtful, the title, if expressive, may have the effect to resolve the doubts by extension of the purview (85), or by restraining it (86), or to correct an obvious error (87); for in ascertaining the intention nothing is to be rejected from which aid can be derived;

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(81) Hadden v. The Collector, 5 Wall. 107, 110, 18 L. Ed. 518; Burgett v. Burgett, 2 Ohio, 219, 221; Plummer v. People, 74 Ill. 361; Ogden v. Strong, 2 Paine, 584, Fed. Cas. No. 10,460.

(82) Proprietors of Mills v. Randolph, 157 Mass. 345. In Fielding v. Morley Corp., (1899) 1 Ch. 1, Lindley, M. R. says: "I read the title advisedly, because now, and for some years past, the title of an act of parliament has been part of the act. In old days it used not to be so, and in the old law books we were told not so to regard it; but now the title is an important part of the act, and is so treated in both houses of parliament."

(83) United States v. Fisher, 2 Cr. 358; Ogden v. Strong, 2 Paine, 584; Fed. Cas. No. 10,460; United States v. Palmer, 3 Wheat. 610; People v. Davenport, 91 N. Y. 574; People v. O'Brien, 111 Id. 1.

(84) United States v. Fisher, 2 Cr. 358; Powlter's Case, 11 Coke, 33.

(85) Doddrick v. Wood, 15 Pa. St. 9; Ins. Co. v. Stokes, 9 Phila. 80.

(86) Cochran v. The Library Co., 6 Phila. 492; Yeager v. Weaver, 64 Pa. St. 425; United States v. Palmer, 3 Wheat. 610, 631; State v. Stephenson, 2 Bailey, 334; Field v. Gooding, 106 Mass. 310; Brett v. Brett, 3 Addams, 219.

(87) Wilson v. Spaulding, 19 Fed. R. 304.

therefore, the title of an act may claim a degree of notice, and is entitled to its share of consideration (88). But the title cannot enlarge or confer powers, control the plain words of the act, or extend the purview to objects mentioned in the title but not in the act (89). Where the text of the statute is plain and unambiguous, the title cannot have the effect to modify it (90).

The constitutional provision that no law shall embrace more than one subject, and requiring that to be expressed in the title, has given the title of legislative acts more importance (91). It is not, however, required or intended that the title shall contain a full index to all the contents of the law; it is permitted to be general in its terms, and therefore it will seldom occur that it will afford a clue to the intention when the text of the statute is uncertain. But the title of an act is now so associated with it in the process of legislation that when, in performing its constitutional functions, it affords means of determining the legislative intent, in cases of doubt its help cannot be rejected for being extrinsic and extra-legislative (92). The

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(88) United States v. Fisher, 2 Cranch, 358; Deddrick v. Wood, 15 Pa. St. 9; Savings Bank v. Burns, 104 Cal. 473; Hogan v. Akin, 181 Ill. 448; Proprietors of Mills v. Randolph, 157 Mass. 345; People v. Coleman, 121 N. Y. 542.

(89) United States v. McCrory, 119 Fed. 861; The New York, 108 Fed. 102; United States v. Oregon & Cal. R. R. Co., 164 U. S. 526.

(90) Boston Min. Co., In re, 51 Cal. 624; Commonwealth v. Slifer, 53 Pa. St. 71; Pickering v. Arrick, 20 D. C. Rep. 169; 9 Mackey, 169; Patterson v. Bank, 190 U. S. 169.

(91) Boston Min. Co., In re, 51 Cal. 624; Cooley, C. L., p. 172.

(92) People v. Wood, 71 N. Y. 371, 374; Hadden v. The Collector, 5 Wall. 107; Canal Commissioners v. Sanitary District, 184 Ill. 597; Rushville v. Rushville Natural Gas Co., 132 Ind. 575; Commonwealth v. Barney, 24 Ky. L. R. 2352; Fillmore v. Van Horn, 129 Mich. 52.

language of an act should be construed in view of its title and its lawful purposes; broad language should be confined to lawful objects (93). The subject or object expressed in the title fixes a limit to the scope of the act, and provisions not germane but foreign to such subject will be excluded as unconstitutional and void (94). The Supreme Court of Kentucky, in speaking of the title of an act, says: "It is essentially a part of the act, not only because it has been selected and adopted by the Legislature as one of the tests of their meaning as expressed in the bill, but because the constitution has made it a part, and the controlling part, of the law to which it applies. It is therefore not only useful in affording a fair index of the legislative intent, in case of ambiguity in the context, but it must be read in connection with the remainder of the act, as a part of it, in determining what is the law" (95).

§ 23. **The preamble.** The preamble in a statute is a prefatory statement or explanation. It purports usually to state the reason or occasion for making the law to which it is prefixed. It accompanies the bill through the process of enactment, and thus emanates from the law-maker. It is not part of the law, in the legislative sense, and hence can never enlarge the scope of a statute; it cannot of itself confer any power. Its true office is to expound powers conferred, not substantially to create them (96). But it is

(93) Allor v. Wayne Co. Auditors, 43 Mich. 76, 97; Singer M. Co. v. Graham, 8 Ore. 17, 34 Am. Rep. 572; State v. Hartford Fire Ins. Co., 99 Ala. 221; Conley v. State, 85 Ga. 348; McDuffie v. State, 87 Ga. 687; Bell v. State, 91 Ga. 227.

(94) Coxe v. State, 144 N. Y. 396.

(95) Commonwealth v. Barney, 24 Ky. L. R. 2352.

(96) Story, Com. on Const., § 459; Wilson v. Knubley, 7 East, 128.

a guide of some importance to the intention of the legislature. It is "a good means," says Lord Coke, "to find out the meaning of the statute, and is a true key to open the understanding thereof" (97). The supreme court of Alabama says: "The preamble to an act neither confers nor restricts powers, rights, privileges or duties, and, strictly speaking, is no part of the act itself. . . . If the legislative intent is clearly expressed in the preamble, and the body of the act is so constructed as to render its meaning and intent uncertain; and if the act admits of two constructions, one in accord with the intent clearly expressed in the preamble, and the other in conflict with it, courts should adopt that construction which harmonizes with the preamble" (97a).

The established doctrine seems to be that if, on reading the enacting part, there is no ambiguity or doubt as to its scope or meaning, there can be no recourse to either the title or preamble in search of a different meaning. "This is the case where the words are plain without any scruple, and absolute without any saving" (98). And then the preamble cannot restrain or extend the import of the enacting clause (99).

§ 24. **The purview or enacting clauses.** The enacting part of a law is comprehensively termed its purview. It has been defined to be that part of an act of the legislature

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(97) Co. Litt. 79*a*; Plowd. 369.

(97a) White v. Levy, 91 Ala. 175, 8 So. 563.

(98) Co. Inst. 533.

(99) Colehan v. Cooke, Willes, 395; Holbrook v. Holbrook, 1 Pick. 248; Jackson v. Gilchrist, 15 John. 89; Emanuel v. Constable, 3 Russ. 436.

which begins with the words "Be it enacted," etc. (100). It is not unfrequently used, however, to indicate the providing part only, and, therefore, excluding exceptions, provisos and saving clauses; it is used to refer to such providing part in distinction from such restrictive clauses (101). It is to be presumed that all the subsidiary provisions of an act harmonize with each other, and with the purpose of the law; if the act is intended to embrace several objects, that they do not conflict. Therefore it is an elementary rule of construction that all the parts of an act relating to the same subject should be considered together, and not each by itself (102).

Exceptions, provisos, interpretation, repealing and saving clauses are often introduced to restrict or qualify the effect of general language, remove possible obscurities that might otherwise exist, and render the law more precise. One provision may be qualified by another, though it does not profess to have that effect. Words expressive of a particular intent incompatible with other words expressive of a general intent will be construed to make an exception, so that all parts of the act may have effect (103).

§ 25. **Effect of direct conflict between two parts of an act.** Where one part of an act is in conflict with another, and they cannot be brought into harmony by any rule of

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(100) Bouv. Law Dic., tit. Purview; Bish. W. L., § 52.

(101) The San Pedro, 2 Wheat. 132. Dwarris says: "The parts of statutes are—in a popular, though not legal sense—the title, the preamble, the purview or body of the act, clauses, provisos, exceptions." Dwar. Stat. (2d ed.) 500.

(102) Sutherland Stat. Con. § 344.

(103) Churchill v. Crease, 5 Bing. 177, 180; Stockett v. Bird, 18 Md. 484

construction; where they are of equal scope, and there is a point-blank repugnancy, so that if one operates at all it will necessarily antagonize any effect of the other, both are void, by one neutralizing the other, on the ground that the legislature have enacted a contradiction; or one, for being earlier or later in position, must be deemed to render the other nugatory, or repeal it. The decisions are to the effect that the provision which is latest in position repeals the other (104).

A saving clause totally repugnant to the purview is rejected, while a proviso directly repugnant to the main body of the act repeals the purview, as it is said to speak the last intention of the makers (105).

§ 26. **Provisos, exceptions and saving clauses.** It has not been an unfrequent mode of legislation to frame an act with general language in the enacting clause, and to restrict its operation by a proviso. It is often found difficult to limit the language in the enacting clause so as to admit every exception or limitation designed to be introduced into the section in its finished state (106). Provisos and exceptions are similar; intended to restrain the enacting clause; to except something which would otherwise be within it, or in some manner to modify it (107). A proviso is something engrafted upon a preceding enactment, and is legitimately used for the purpose of taking special cases out of a general class, or to guard against misinterpreta-

(104) Packer v. Sunbury, etc. R. R. Co., 19 Pa. St. 211; Ryan v. State, 5 Neb. 276, 282; Gibbons v. Brittenum, 56 Miss. 232.

(105) Attorney-General v. Chelsea Water Works Co., Fitzgibbons, 195; Rex v. Justices, 2 B. & Ad. 818.

(106) Savings Institution v. Makin, 23 Me. 360.

(107) Wayman v. Southard, 10 Wheat. 1.

tion (108). The general intent will be controlled by the particular intent subsequently expressed (109). A proviso is so identified with the text of a statute which it qualifies that if such enacting part is repealed by a subsequent statute repugnant to it, the proviso will fall also (110). The effect of an exception which is a part of the enacting clause and is of general application is simply to restrict it as to the matter excepted. It operates for this purpose co-extensively with the matter which precedes. Hence in actions based on the statute the pleadings must negative the exception (111). An exception is strictly construed (112). An exception is not universally so extensive as the provision which it qualifies, as to subject-matter, for its purpose may be, and usually is, to reduce the subject-matter by withdrawing a part from the operation of the general words, or to give them a qualified operation merely as to the matter of the exception (113).

A saving clause is, like a proviso, an exemption of a special thing out of the general things mentioned in the statute (114). Its name implies such exemption to preserve from loss or destruction, and such is its use. It is generally employed to restrict repealing acts; to continue

(108) Savings Bank v. United States, 19 Wall. 227.

(109) Ihmsen v. Monongahela Nav. Co., 32 Pa. St. 152; State v. Goetze, 22 Wis. 363.

(110) Church v. Studler, 16 Ind. 463.

(111) Vavasour v. Ormrod, 6 B. & C. 430; People v. Berberrich, 11 How. Pr. 323; Spieres v. Parker, 1 T. R. 141; Hoffman v. Peters, 51 N. J. L. 244; Blasdell v. State, 5 Tex. App. 263; Rowell v. Janvrin, 151 N. Y. 60.

(112) State v. Fernandez, 39 La. Ann. 538.

(113) Bank of U. S. v. McKenzie, 2 Brock. 393.

(114) Dwar. Stat. (2d ed.) 513.

repealed acts in force as to existing powers, inchoate rights, penalties incurred, and pending proceedings, depending on the repealed statute. An absolute repeal puts an end to such rights, powers and proceedings, and discharges such penalties. To preserve them to any extent or for any purpose requires a special provision in the repealing act or existing statute having a saving effect. When such saving is included in the repealing statute it usually follows the repealing clause. The same reasons which exist for a strict construction of a proviso apply to a saving clause where there is an express repeal, and the saving clause is intended to restrict it. The special intent in the saving clause prevails over the general intent in the repeal (115).

§ 27. **Interpretation clauses: Legislative construction.** The legislature cannot authoritatively declare what the law is or has been; that is a judicial function and appertains to the courts (116). The legislature has exclusively the power to make laws, and thus declare what the law shall be (117). A legislative construction of a statute is entitled to consideration, and will often have much weight (118). The legislature in passing an act may declare its meaning and construction, and such declaration will be

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(115) Sutherland Stat. Con. § 354.

(116) Ogden v. Blackledge, 2 Cranch, 272; Dash v. Van Kleeck, 7 John. 477; Kern v. Supreme Council, 167 Mo. 471; Commonwealth v. Warrick, 172 Pa. St. 140; Re Handley's Estate, 15 Utah, 212.

(117) Id.

(118) Philadelphia, etc. R. R. Co. v. Catawissa R. R. Co., 53 Pa. St. 20; Hart v. Reynolds, 1 Heisk, 208; Dunlap v. Crawford, 2 McCord Eq. 171; Pike v. Megoun, 44 Mo. 491. See Aikin v. Western R. R. Co., 20 N. Y. 370; Prentiss v. Danaher, 20 Wis. 311.

binding on the courts (118). An act declaring the meaning of a former act will be given effect prospectively (119).

§ 28. **General interpretation statutes.** Statutory provisions are made in various forms to have effect specially in the interpretation of the law. They are distinguishable, and all are not construed and applied in the same manner. There is a manifest difference between definitive or interpretation clauses which are special, and those which are general; the former always having the most controlling effect where it is obvious that the legislature, without misconception of the effect of other legislation, have precisely in view the particular words or provisions to which the clause in question ostensibly applies.

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(118) Mette v. Feltgen, 148 Ill. 357; Harvey v. Clarinda, 111 Iowa, 528; State v. Allison, 155 Mo. 325; State v. Plainfield Water Supply Co., 67 N. J. L. 357; State v. Sneed, 121 N. C. 614; Commonwealth v. Curry, 4 Pa. Supr. Ct. 356; Lewis v. Glass, 92 Tenn. 147.

(119) Erhard v. Clearfield Coal Co., 5 Pa. Dist. Ct. 11.

## CHAPTER II.

### GENERAL RULES OF CONSTRUCTION.

§ 29. **Interpretation and construction distinguished.** There is a difference between interpretation and construction, and this difference consists in the fact that interpretation is confined to the words of the statute, observing of course the etymology and derivation of the words, as they have been used throughout all time, as well as in the vernacular. Construction takes a broader view. It regards all of the surrounding facts and conditions of society, and in this manner seeks the intent of the legislature. While this distinction between interpretation and construction is noticed in the books, and is frequently referred to by the courts, neither is applied to the exclusion of the other, but both are used to ascertain the intention of the legislature.

At the very outset in the examination of the statute it is assumed by the court that it was passed by the legislative body in the interest and to the advantage of the public, and therefore means what it says and says what it means. In the event of the statute containing any ambiguity the court applies certain well defined and fixed canons of interpretation and construction in seeking to ascertain the legislative intent and meaning (1).

(1) Gibbon v. Ogden, 9 Wheat. 188.

Dr. Lieber says: "According to the character of the text before us we are obliged to take words either in their common adaptation in daily life, or in the peculiar signification which they have in certain arts, sciences, sects, provinces, etc.; in short we have to take words according to what is termed "usus loquendi." Horse, in common language, means a common animal; in a marine insurance case it might mean this animal, or a certain part of the vessel" (2). We are to take the words in that meaning which we may faithfully believe their utterer attached to them" (3). "It is important to ascertain whether words were used in a definite, absolute and circumscribed meaning, or in a generic, relative or expansive character" (4).

"The words of a statute are to be taken in their ordinary and familiar signification and import, and regard is to be had to their general and proper use" (5). "The peculiar sense in which a word is used in any section is to be determined by the context. . . . If the words of a statute are plain, they must be strictly followed" (6). "It is a rule of construction, founded in reason and supported by many authorities, that words in a will or statute are to be construed according to their strict and proper acceptation, unless there be something to show that such a construction is not intended" (7). "Words are to be taken according to their customary, not in their original or class-

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(2) Lieber's Harmeneutics, Hammond's Edition, 89.
(3) Id., 90.
(4) Id., 137.
(5) Potter's Dwar. on Stats. and Const., 193.
(6) Id., 196.
(7) Id., 199.

ical, signification"(8). "The most enlightened and experienced judges have for some time lamented the too frequent departure from the plain and obvious meaning of the words of the act of parliament by which a case is governed, and themselves hold it much the safer course to adhere to the words of the statute construed in their ordinary import, than to enter into any inquiry as to the supposed intention of the parties who framed the act" (9). "When technical words occur in a statute they are to be taken in a technical sense" (10). "Words or phrases shall be taken in their plain or ordinary or usual sense, but technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import"(11).

The cardinal rule is to seek the intention of the Legislature and it is a very old rule, and the only one which justifies a construction seemingly different from the literal interpretation of the words that "a thing within the intention is within the statute, though not within the letter, and a thing within the letter is not within the statute, unless within the intention" (12).

Even the quaint expression of the old cases is repeated in our modern decisions: "Our law consists of two parts, viz.: of body and soul; the letter of the law is the body of the law, and the sense and reason of the law are the soul of

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(8) Id., 159, 209.

(9) Potter's Dwar. on S. and C., 204.

(10) Sedg. Constr. of S. and C. L., 2nd Ed., 221, 224, 225.

(11) Mo. Rev. Stats., Sec. 6570; Patchin v. Bonsack, 52 Mo. 431.

(12) Jackson v. Collins, 3 Cow. 89; Perry County v. Jefferson County, 94 Ill. 220; Peo. v. Utica Ins. Co., 15 John. 380; Sutherland on Stat. Sec. 363.

the law . . . It often happens that when you know the letter you know not the sense" (13).

§ 30. **Interpretation and construction compared.** Dr. Lieber defines interpretation as "the art of finding out the true sense of any form of words; that is, the sense which their author intended to convey, and of enabling others to derive from them the same idea which the author intended to convey" (14). He uses this word in a sense distinct from construction (15). These words, however, are very generally used interchangeably and as practically synonymous. The literal interpretation of a statute is finding out its true sense according to Dr. Lieber's definition—by making the statute its own expositor. If the true sense can thus be discovered, there is no resort to construction (16). The certainty of the law is next in importance to its justice. And if the legislature has expressed its intention in the law itself, with certainty, it is not admissible to depart from that intention on any extraneous consideration or theory of construction (17).

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(13) Eyston v. Studd-Plowden; quoted in U. S. v. Kirby, 74 U. S. 482.

(14) Hermeneutics, p. 11.

(15 He says:) "Construction is the drawing of conclusions respecting subjects that lie beyond the direct expression of the text, from elements known from and given in the text. Conclusions which are in the spirit though not in the letter of the text." Hermeneutics, 44. And again he says: "In the most general adaptation of the term, construction signifies the representing of an entire whole from given elements by just conclusions. Thus, it is said, a few actions may sometimes suffice to construe the whole character of a man." Id. 49.

(16) Cearfoss v. State, 42 Md. 403, 406.

(17) Id.; Johnson v. Railroad Co., 49 N. Y. 455; Alexander v. Worthington, 5 Md. 471; United States v. Ragsdale, Hempst. 497, Fed. Cas. No. 16,113.

**§ 31. Intent first to be sought in language of statute itself.** "It is beyond question the duty of courts in construing statutes to give effect to the intent of the law-making power, and seek for that intent in every legitimate way. But . . . first of all in the words and language employed; and if the words are free from ambiguity and doubt, and express plainly, clearly and distinctly the sense of the framers of the instrument, there is no occasion to resort to other means of interpretation. It is not allowable to interpret what has no need of interpretation" (18).

The Legislature must be understood to mean what it has plainly expressed, and this excludes construction (19). The legislative intent being plainly expressed, so that the act read by itself, or in connection with other statutes pertaining to the same subject, is clear, certain and unambiguous, the courts have only the simple and obvious duty to enforce the law according to its terms (20). Cases cannot be included or excluded merely because there is intrinsically no reason against it (21). Even when a court is convinced that the legislature really meant and intended something not expressed by the phraseology of the act, it will not deem itself authorized to depart from the plain

(18) Green v. Weller, 32 Miss. 650. "A primary rule of construction is that the legislature must be assumed to have meant precisely what the words of the law, as commonly understood, import; and this may be said to be the fundamental and controlling rule of construction." Lemonius v. Mayer, 71 Miss. 514, 521.

(19) Koch v. Bridges, 45 Miss. 247; United States v. Hartwell, 6 Wall. 395; Denn v. Reid, 10 Pet. 524, 9 L. Ed. 519.

(20) Rosenplaenter v. Roessle, 54 N. Y. 262; Woodbury v. Berry, 18 Ohio St. 456, 462; Douglass v. Chosen Freeholders, 38 N. J. L. 214; Story on Const. § 426.

(21) Denn v. Reid, 10 Pet. 524; Pike v. Hoare, 2 Eden, 184; Ogden v. Strong, 2 Paine, 584; Fed. Cas. No. 10,460.

meaning of language which is free from ambiguity (22). If a legislative enactment violates no constitutional provision or principle, it must be deemed its own sufficient and conclusive evidence of the justice, propriety and policy of its passage (23). Whether the law be expressed in general or limited terms, the legislature should be held to mean what they have plainly expressed, and consequently no room is left for construction; but if, from a view of the whole law, or from other laws "in pari materia," the evident intention is different from the literal import of the terms employed to express it in a particular part of the law, that intention should prevail, for that, in fact, is the will of the Legislature (24).

An interpretation of a statute which leads to consequences mischievous and absurd is inadmissible if the statute is susceptible of another interpretation by which such consequences can be avoided (25). But when the words of a provision are plainly expressive of an intent not rendered dubious by the context, no interpretation can be permitted to thwart that intent; the interpretation must

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(22) Smith v. State, 66 Md. 215; Woodbury v. Berry, 18 Ohio St. 456; Bradbury v. Wagenhorst, 54 Pa. St. 182; St. Louis, etc. R. R. Co. v. Clark, 53 Mo. 214; Notley v. Buck, 8 B. & C. 164.

(23) Flint, etc. Co. v. Woodhull, 25 Mich. 99; People v. Briggs, 50 N. Y. 553; Collin v. Knoblock, 25 La. Ann. 263; Jewell v. Weed, 18 Minn. 272; Lower Chatham, In re, 35 N. J. L. 497.

(24) United States v. Fisher, 2 Cr. 358; Farrell Foundry v. Dart, 26 Conn. 376, 382; Miller v. Salomons, 7 Ex. 475; People v. Sands, 102 Cal. 12; Gilbert v. Detroit, 91 Wis. 661, 665; McKay v. Fairhaven & W. R. Co., 75 Conn. 608; Swarts v. Siegel, 117 Fed. 13.

(25) Caledonian Ry. Co. v. North British Ry. Co., L. R. 6 App. Cas. 122; State v. Wiltz, 11 La. Ann. 439; Ellis, Ex parte, 11 Cal. 222; Ryegate v. Wardsboro, 30 Vt. 746.

declare it, and it must be carried into effect as the sense of the law (26).

In the case of Sturges v. Crowninshield (27) the court say: "Although the spirit of the instrument, especially of the constitution, is to be respected not less than its letter, yet the spirit is to be collected chiefly from its words. It would be dangerous in the extreme to infer from extrinsic circumstances that a case for which the words of the instrument expressly provided shall be exempt from its operation. Where words conflict with each other, where the different clauses of the instrument bear upon each other, and would be inconsistent unless the natural and common import of the words be varied, construction becomes necessary; and to depart from the obvious meaning of words is justifiable. Yet, in no case, the plain meaning of a provision, not contradicted by any other provision in the same instrument, is to be disregarded because we believe the framers of that instrument could not intend what they say. It must be one in which the absurdity and injustice of applying the provision to the case would be so monstrous that all mankind would, without hesitation, unite in rejecting the application."

§ 32. **Subjects for consideration in showing legislative intent.** The intent of the Legislature being the cardinal inquiry, the following elements have been recognized as the proper subjects for consideration in ascertaining the legislative intent:

(26) Douglass v. Chosen Freeholders, 38 N. J. L. 214; Bradbury v. Wagenhorst, 54 Pa. St. 182; Howard Association's Appeal, 70 id. 344; Johnson v. R. R. Co., 49 N. Y. 455; Farrell Foundry v. Dart, 26 Conn. 376.

(27) 4 Wheat. 202.

(a) The condition of the old law.

(b) The subject matter of the law, and its condition in fact—that is, the state of an art, trade, commerce, or husbandry.

(c) The mischiefs, inconveniences, or hardships of the condition of things existing when the Legislature acted.

(d) The remedy to be provided by the law enacted.

(e) The effect and consequences of diverse constructions of the statute which seem to be possible.

(f) The spirit and object of the law—that is to say, the policy of the law.

All these elements are components of what is one whole (28).

It is frequently said that statutes in derogation of the common law are to be construed strictly, but this rule while perfectly feasible and logical at the time of its origin cannot be said to have much operation at the present time if by the common law is meant the common law of England (29). If, however, this rule is confined to the common law of the State or the Nation recognized as existing at the time of the enactment, and having reference also to the rights of persons affected by the legislation, and as therefore restricting what was before the common right, it is a reasonable and proper rule.

A statute should be construed so as to give effect to all

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(28) Peo. v. Greer, 43 Ill., 215; Wheaton v. Peters, 8 Wheat. 591; Thompson v. Peo., 23 Wend. 578.

(29) See Thompson on Homesteads, Sec. 4, Note 2; Wilkinson v. Leland, 2 Pet. 656; Loan Ass'n v. Topeka, 20 Wall. 663; Calder v. Bull, 3 Dall. 386.

of its parts, and to every word of all of its parts (30). It is not proper to confine the attention to the one section to be construed (31). "It is always an unsafe way of construing a statute or contract to divide it by a process of etymological dissection, into separate words, and then apply to each, thus separated from its context, some particular definition given by lexicographers, and then reconstruct the instrument upon the basis of these definitions. An instrument must always be construed as a whole, and the particular meaning to be attached to any word or phrase is usually to be ascertained from the context, the nature of the subject treated of and the purpose or intention of the parties who executed the contract, or of the body which enacted or framed the statute or constitution" (32).

The general intent should be kept in view in determining the scope and meaning of any part (33).

In seeking the sense of the words several rules have been recognized, namely, (a) words are to be used in their most natural sense, having relation to the subject matter. (b) Where the sense is doubtful the court should lean to that sense which is most agreeable to justice and the spirit and reason of the law (34).

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(30) Decker v. Hughes, 68 Ill. 43; Mech. Sav. Instn. of St. Louis v. Givens, 82 Ill. 157.

(31) Ellis County v. Thompson, 95 Tex. 22. In Grimes v. Legion of Honor, 97 Iowa, 315, it is said that when words are plain and unambiguous they should be given effect and that recourse should not be had to other parts of the statute.

(32) International Trust Co. v. Am. L. & I. Co., 62 Minn. 501.

(33) People v. Harrison, 191 Ill. 257; Martin v. Hunter's Lessee, 1 Wheat. 304, 326; Swartwout v. Railroad Co., 24 Mich. 389.

(34) Gibson v. Ogden, 9 Wheat. 188.

§ 33. **Intention of whole act controls interpretation of parts.** Words and clauses in different parts of a statute must be read in a sense which harmonizes with the subject matter and general purpose of the statute. This rule is well stated by Chancellor Kent in his Commentaries as follows: "In the exposition of a statute the intention of the law-maker will prevail over the literal sense of the terms; and its reason and intention will prevail over the strict letter. When the words are not explicit the intention is to be collected from the context; from the occasion and necessity of the law; from the mischief felt, and the remedy in view; and the intention is to be taken or presumed according to what is consonant with reason and good discretion" (35). If upon examination the general meaning and object of the statute be found inconsistent with the literal import of any particular clause or section, such clause or section must, if possible, be construed according to that purpose. But to warrant the change of the sense, according to the natural reading, to accommodate it to the broader or narrower import of the act, the intention of the legislature must be clear and manifest (36).

Literal interpretation is seldom adequate. "The subtle signification of words," says the Supreme Court, "and the niceties of verbal distinction furnish no safe guide for construing the Act of Congress" (37). An act which

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(35) 1 Kent's Com. 461; Jennings v. Love, 24 Miss. 249; People v. Utica Ins. Co., 15 John. 358; Swann v. Buck, 40 Miss. 268; Little Rock, etc. R. R. Co. v. Howell, 31 Ark. 119; Matthews v. Commonwealth, 18 Gratt. 989; Swartwout v. Railroad Co., 24 Mich. 389; Russell v. Farquhar, 55 Tex. 359; Ezekiel v. Dixon, 3 Ga. 152.

(36) Holbrook v. Holbrook, 1 Pick. 248.

(37) Rhodes v. Iowa, 170 U. S. 412.

authorized the purchase, or if necessary the appropriation, of land for cemetery purposes, provided that no land should be so appropriated within two hundred yards of any dwelling-house. It was held that the intent was to prevent the evil effects of a cemetery within the specified distance of a dwelling, and that the words so appropriated should be read in the sense of devoted to the purpose in question and so as to limit the acquisition of property by contract or condemnation (38). An act provided that life insurance effected by the husband on his own life should inure to the benefit of the widow and next of kin to be distributed as personal property, free from the claims of the husband's creditors. The act was held to apply to insurance effected by the husband before his marriage (39).

The mere literal construction of a section in a statute ought not to prevail if it is opposed to the intention of the Legislature apparent by the statute; and if the words are sufficiently flexible to admit of some other construction it is to be adopted to effectuate that intention (40). The intent prevails over the letter, and the letter will, if possible, be so read as to conform to the spirit of the act. "While the intention of the legislature must be ascertained from the words used to express it, the manifest reason and the obvious purpose of the law should not be

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(38) Henry v. Trustees, 48 Ohio St. 671.

(39) Rose v. Wortham, 95 Tenn. 505.

(40) Caledonian Ry. Co. v. North British Ry. Co., L. R. 6 App. Cas. 114; Freme v. Clement, 44 L. T. (N. S.) 399; L. R. 18 Ch. Div. 499; Holyland v. Lewin, 26 Id. 266; United States v. Bassett, 2 Story 389, Fed. Cas. No. 14,539; People v. Craycroft, 111 Cal. 544; Mackall v. District of Col., 16 App. Cas. (D. C.) 301; In re Penobscot Lumbering Association, 93 Me. 391.

sacrificed to a literal interpretation of such words'' (41). Words or clauses may be enlarged or restricted to effectuate the intention or to harmonize them with other expressed provisions (42).

§ 34. **Words supplied to carry out intent.** ''The intention of the legislature being ascertained with reasonable certainty, words may be supplied in the statute so as to give it effect and avoid any repugnancy or inconsistency with such intention'' (43).

§ 35. **Words disregarded, eliminated, or substituted** (44). Where a word or phrase in a statute would make the clause in which it occurs unintelligible, the word may be eliminated and the clause read without it (45). It would be mischievous to attempt to wrest such words from their proper and legal meaning merely because they are superfluous (46). A statute of Illinois provided that any woman of the age of twenty-one years or upwards, belonging to either of the classes mentioned in article seven of the Constitution of the State, might vote for school officers. The three classes thus incorporated into the act were, (1)

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(41) Pierce v. Van Dusen, 78 Fed. 693, 696.

(42) Commercial Bank v. Foster, 5 La. Ann. 516; Barker v. Esty, 19 Vt. 131, 139; People v. Chicago, 152 Ill. 546, 38 N. E. 744; Andrew County v. Schell, 135 Mo. 31, 36 S. W. 206; Rose v. Wortham, 95 Tenn. 505, 30 L. R. A. 609; Stephens v. Cherokee Nation, 174 U. S. 445.

(43) Orvil v. Woodcliff, 61 N. J. L. 286, 291, reversing 61 N. J. L. 107.

(44) Baca v. Bernalillo County Com'rs, 10 N. M. 438; White v. Rio Grande Western Ry. Co., 25 Utah, 346; Peo. v. Gaulter, 149 Ill. 39; Ind. I. & I. Ry. v. Peo., 154 Ill. 558.

(45) Stone v. Yeovil, L. R. 1 C. P. Div. 691; Bingham v. Birmingham, 103 Mo. 345; McCormick v. West Duluth, 47 Minn. 272; State v. Timothy, 147 Mo. 532; People v. Hilliard, 85 App. Div. 507.

(46) Hough v. Windus, L. R. 12 Q. B. Div. 229.

those who were electors in the state on April 1, 1848, (2) those naturalized prior to January 1, 1870, and (3) male citizens of the United States, above the age of twenty-one years. Literally the act gave women the right to vote provided they were male citizens. It was held that the word "male" should be rejected in construing the statute (47).

§ 36. **History of act.** In interpretation and construction the history of an act should be considered, and generally throws much light on the meaning of the words.

§ 37. **The "ejusdem generis" rule.** General words following particular words are confined to the genus of the particular words used (48), or, in other words, general words will be limited to the same genus or class as the specific words which precede them.

In Broom's Legal Maxims (side page 65) the rule is laid down as follows: "Where a particular class (of persons or things) is spoken of, and general words follow, the class first mentioned is to be taken as the most comprehensive, and the general words treated as referring to matters 'ejusdem generis' with such class; the effect of general words when they follow particular words being thus restricted."

Sedgwick, in his work on Construction of Statutes (page 361), says: "Where general words follow particular

(47) People v. English, 139 Ill. 622. The court says: "A statute is to be interpreted according to its true intent and purpose, and its strict letter must be made to yield to the obvious intent. Words which are meaningless or inconsistent with the intention otherwise plainly expressed in the act may be rejected as redundant or surplusage."

(48) Wilson v. Board of Trustees, 133 Ill. 443.

words, the rule is to construe the former as applicable to things or persons particularly mentioned."

The decisions of the courts fully sustain the text-writers, that this is the true rule of construction in such cases, subject to certain limitations not necessary to be mentioned here (49).

"When several statutes relate to the same thing and are made in 'pari materia' (50), they are all to be taken together in the construction of any one of them and considered as one statute."

If parts of a statute are so mutually connected with and dependent on each other, as conditions, considerations or compensation for each other as to warrant a belief that the Legislature intended them as a whole, and that if all could not be carried into effect, the Legislature would not pass the residue independently, and some parts are unconstitutional, all the provisions which are thus dependent, conditional or connected, must fall with them (51).

§ 38. **Equitable construction.** "An equitable construction of statutes is sometimes necessary; so that acts within the letter shall not be considered within the meaning, and acts not within the letter shall be considered within the meaning. If a law be made, that whoever does a certain act shall suffer death, it will not comprehend a madman" (52).

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(49) City of Lynchburg v. Norfolk & W. R. R. Co., 80 Va. 237; Iron Co. v. Riche, L. R. 7 H. L., at pages 664, 665; Insurance Co. v. Hamilton, 12 App. Cas. 484, 486; Peo. v. New York & M. B. Ry. Co., 84 N. Y. 565; State v. McGarry, 21 Wis. 496; St. Louis v. Laughlin, 49 Mo. 559.

(50) Upon the same matter or subject.

(51) Berea College v. Kentucky, 211 U. S. 55.

(52) Rex v. Williams, 1 Wm. Black. 94.

§ 39. **Effect of a proviso.** In the case of Am. Ex. Co. v. U. S. (53), Mr. Justice Day, in his opinion says: "There is no doubt that a proviso has not infrequently been the means of introducing into a law independent legislation, notwithstanding it is the true office of a proviso to restrict the sense or make clear that which has gone before and which might be doubtful because of the generality of the language used (54). This court has had occasion to hold more than once that language used in provisos shows the legislative intention to bring in new matter rather than to limit or explain that which has gone before (55).

"While, therefore, a proviso may sometimes be construed as extending rather than limiting legislation, each statute must depend upon its own terms, and a proviso will be given such construction as is consistent with the legislation under construction" (56).

§ 40. **Effect of repealing and amending statutes.** The expiration of a repealing statute does not necessarily revive the original act unless such intention clearly appears, but the expiration of a repealing statute by its own termination revives a statute supplied or suspended by it (57). The repeal of an act creating a new cause of action destroys the right of action unless it is expressly

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(53) 212 U. S. 534.

(54) U. S. v. Dickson, 15 Pet. 141, 163.

(55) Georgia Bank Co. v. Smith, 128 U. S. 174; Interstate Com. Comn. v. Baird, 194 U. S. 25, 36, 37.

(56) Am. Ex. Co. v. U. S. 212 U. S. 534; Hackett v. Chicago City Ry., 235 Ill. 116.

(57) Smith on Const. Con. Sec. 751. Note *i*; Chancellor's case, 1 Bland (Maryland) 664; Village of Rome v. Knox, 14 How. Pr. 268; Homnyack v. Prudential Ins. Co. 194 N. Y. 456.

reserved (58). The general rule is that independently of express words on the subject of revival, repealing a statute which repealed a former act revives the first statute (59). Where a statute professes to repeal absolutely a prior law and substitutes other provisions on the same subject limited to continue only a certain time, the prior law does not revive after the repealing statute is spent unless that intention is expressed (60).

"Where an existing general statute is amended so as to leave it in full force and effect so far as it goes, and the only amendment consists in the addition of new matter, a limitation in the amendatory statute providing that such statute shall not affect pending suits or proceedings qualifies only the addition which is made to the pre-existing general law by the amendatory statute and does not qualify or limit the pre-existing general law itself. In the case of a statute amended 'so as to read as follows' the portions of the amended sections, which are merely copied without change, are not to be considered as repealed and again enacted, but to have been the law all along (61).

"Where an amendment preserves a portion of a section unaltered, but adds new matter to the section, it is equivalent to an independent statute embodying the new matter" (62).

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(58) Dillon v. Linden, 36 Wis. 344.

(59) Wheeler v. Roberts, 7 Cow. 536; Gale v. Mead, 4 Hill 109; Village of Rome v. Knox, 14 How. Pr. 268, Smith's Commentaries, Sec. 787; Peo. v. Tiplaine, 13 How. Pr. 74.

(60) Wann v. Wendle, 3 East 208; Village of Rome v. Knox, 14 How. Pr 268.

(61) Homnyack v. Prudential Ins. Co., 194 N. Y. 456.

(62) Id.

§ 41. **Punctuation.** When statutes were enacted without punctuation, it was a necessary conclusion that the punctuation subsequently inserted was no part of the law. That was often declared (63), and has been declared since the practice has changed and punctuated bills are enacted (64). So, when bills are not printed and furnished in their perfected form to members of the legislative body, and they are heard read, so that the ear and not the eye takes cognizance of them (65), the punctuation, whether inserted or not, does not receive the attention of individual legislators. It may be assumed that the principal points are observed in the reading. The questions in court relating to punctuation or affecting construction have generally arisen on the presence, omission or misplacing of commas.

In Ewing v. Burnet (66), the court say: "Punctuation is a most fallible standard by which to interpret a writing. It may be resorted to when all other means fail; but the court will first take the instrument by the four corners in order to ascertain its true meaning. If that is apparent on judicially inspecting it, the punctuation will not be suffered to change it" (67).

§ 42. **When statute takes effect.** Statutes take effect

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(63) Barrington on St. (5th ed.) 439, note; Dwarris on St. (2d ed.) 601; 3 Dane's Abr. 558.

(64) Hammock v. Loan & Trust Co., 105 U. S. 77; Cushing v. Worrick, 9 Gray, 382; Albright v. Payne, 43 Ohio St. 8.

(65) Bish. W. L., § 78; Manger v. Board of Examiners, 90 Md. 659.

(66) 11 Pet. 41.

(67) Albright v. Payne, 43 Ohio St. 8; Shriedley v. State, 23 id. 130; Hamilton v. Steamer R. B. Hamilton, 16 id. 428; Allen v. Russell, 39 id. 336; Morrill v. State, 38 Wis. 434.

from the first day of the session of the Legislature in which they are passed, unless a particular time for the commencement is appointed in the statute, and then it takes effect from that time; but the injustice of giving statutes a retrospective operation has induced the Parliament of Great Britain to pass an act that the Clerk of Parliament shall endorse on the act the time it receives the royal assent, which shall be the time of its commencement. But no law should be in force till it has been published so that the people have an opportunity of knowing the provisions of it; and in some states there is a provision that all public statutes shall take effect from the rising of the general assembly by which they are passed, unless otherwise directed by such statutes.

# GLOSSARY

ABATEMENT OF ACTIONS. A suspension of all proceedings in a suit, from the want of proper parties capable of proceeding therein.

ABATEMENT OF A NUISANCE. The removal of a nuisance.

ACTION ON THE CASE. A form of action which lies generally to recover damages for torts not committed with force; or having been occasioned by force where the matter affected was not tangible, or the injury was not immediate but consequential; or where the interest in the property was only in reversion. This form of action is also called *trespass on the case;* and also, simply *case.*

ADJECTIVE LAW. That part of the law which deals with the methods of enforcing rights and punishing and preventing their infringement.

ADMINISTRATOR. One who is appointed by the court to administer the estate of a deceased person. He is practically the same as an executor, except that the latter is named by the deceased in his will. An *administrator de bonis non* is one appointed by the court to complete the administration of an estate when a prior administrator has been removed, by death or otherwise.

ADVANCEMENT. A gift from a father to his child by way of anticipation of the share which the child would inherit in the father's estate, and intended to be deducted therefrom.

ADVERSE POSSESSION. The possession or occupation of land under such circumstances as indicate that the occupation has been commenced and continued under an assertion or color of right on the part of the occupant.

AFFIDAVIT. A written declaration or statement of facts, made voluntarily, and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such oath.

ANIMUS FURANDI. The intention to steal.

APPEAL. The removal of a cause from a court of inferior to one of superior jurisdiction, for the purpose of obtaining a review of the lower court's decision.

APPURTENANCE. That which belongs to something else. Used in conveyancing to describe rights which pass with the land conveyed, as incident thereto, such as easements.

ASPORTATION. A carrying away of personal property. Its removal from one place to another.

ASSIGNEE. One to whom an assignment is made.

ASSUMPSIT. A form of action which lies for the recovery of damages for the non-performance of a parol or simple contract; or a contract that is neither of record nor under seal.

ATTACHMENT. Taking into the custody of the law the person or property of one already before the court, or of one whom it is sought to bring before it. A writ for the accomplishment of this purpose.

ATTEST. To witness the execution of a written instrument and subscribe the same as a witness.

BAIL. Security given for the appearance on a day and place certain of a person arrested or imprisoned, upon his release in reliance upon such security.

BAILMENT. A delivery of something of a personal nature by one party to another, to be held according to the purpose or object of the delivery, and to be returned or delivered over when that purpose is accomplished.

BARTER. A contract by which parties exchange goods or commodities for other goods or commodities.

BEQUEST. A gift of personal property by will.

BILL OF EXCHANGE. A written order by one person, called the "drawer" or "maker," to another, called the "drawee" or "acceptor," to pay money to another, called the "payee," or his order, or to the bearer. A bank check is one form of bill of exchange.

BILL OF LADING. A written undertaking for the carriage and delivery of goods, given by a carrier to a consignor.

BILL OF PARTICULARS. A written statement of the particulars of the demand for which an action is brought, or upon which a set-off is based, furnished by one party to another.

BONA FIDE. In good faith.

BONA FIDE PURCHASER. A purchaser for a valuable consideration

paid or parted with in the belief that the vendor had a right to sell, and without any suspicious circumstances to put him on inquiry.

BOND. A deed or instrument under seal by which the maker or obligor promises, (and also binds his heirs, executors, and administrators) to pay a fixed sum of money to another; usually with a clause to the effect that upon performance of a certain condition the obligation shall be void. The term is also used to denote certificates of indebtedness issued by corporations, governments, and municipalities as security for the repayment of money loaned to them.

BOROUGH. A town.

CAPIAS. A writ ordering the officer to whom it is directed to take the body of the defendant into custody.

CASE. (See ACTION ON THE CASE).

CAUSA MORTIS. (See MORTIS CAUSA).

CAVEAT EMPTOR. Let the buyer take care. This expression means that the purchaser of an article must examine, judge, and test it for himself, being bound to discover any obvious defects or imperfections.

CESTUI QUE TRUST. The beneficiary of a trust.

CESTUI QUE USE. The beneficiary of a use.

CHANCERY. A court of equity; the system of jurisprudence administered in a court of equity.

CHARTER. An act of the state creating a corporation. Also, an instrument which confers corporate powers.

CHATTEL. An article of personal property.

CHOSE. A thing.

CHOSE IN ACTION. A right of action to recover a debt, demand, or thing.

CIRCUMSTANTIAL EVIDENCE. Evidence directed to the attending circumstances and tending to prove the principal fact by inference from such attending circumstances.

CIVIL ACTION. An action between private parties, as distinguished from a *criminal action*, which is brought by the state to punish crime.

CLOSE. A piece of inclosed land.

CODICIL. An addition or supplement to a will. It must be executed with the same formality as a will.

COMPETENCE. In the law of evidence, *competence* means being of such form, irrespective of subject matter, as to be admissible in evidence. It is often used to include the meaning expressed by *relevance*, which see.

COMPLAINANT. The party who brings an action in equity.

COMPOUNDING A FELONY. The offense committed by one who, having been injured by a felony, agrees with the criminal that he will not prosecute him, on condition of the latter's making reparation, or on receipt of a reward or bribe.

CONCLUSIVE EVIDENCE. Evidence not subject to contradiction.

CONFESSION OF JUDGMENT. The act of a debtor in permitting judgment to be entered against him by his creditor without a trial.

CONSTRUCTIVE TRUSTEE. One who becomes a trustee by operation of law.

CONVERSION. An unauthorized assumption and exercise of ownership over goods belonging to another.

CO-OPTATION. The election, by the members of a close corporation, of a person to fill a vacancy.

CORPOREAL HEREDITAMENT (See HEREDITAMENTS).

COUNTY. A portion of territory organized by itself for political and judicial purposes.

COVENANT. A promise contained in a sealed instrument.

COVERTURE. The condition or state of a married woman.

CURTESY. At common law, the estate of a husband, upon the birth of issue, in his wife's lands after her death. It was a freehold estate for life.

CURTILEGE. The inclosed space of ground and buildings immediately surrounding a dwelling house.

CUSTODY. The care and keeping of property; the detainer of one's person by virtue of lawful process or authority.

DAMAGES, NOMINAL (See NOMINAL DAMAGES).

DECLARATION. A pleading which sets out a plaintiff's cause of action in an action at law.

DE FACTO. Actually or in fact, as e. g., a *de facto* corporation, which exists actually and for all practical purposes, but is not a corporation *de jure* (legitimate; lawful) because of failure on the part of those organizing it to comply fully with the law providing for such organization.

DEFENDANT. The party against whom an action is brought.

DE JURE. Rightful; lawful; legitimate. (See DE FACTO).

DEMISE. To lease, or let.

DEMURRER. An allegation that, admitting the facts of the preceding pleading to be true, the party making it has not shown cause why the party demurring should be compelled by the court to proceed further.

DEPOSITION. Testimony given by a witness out of court, before a notary public or other proper officer, which is written up for the purpose of being afterwards used in court.

DESCENT. Hereditary succession to real estate.

DEVISE. A gift of real property by will.

DISTRAIN. (See DISTRESS).

DISTRESS. The taking of a tenant's chattels by a landlord in order to satisfy, in whole or in part, a claim for rent in arrear; the act of distraining.

DISTRIBUTEE. One who receives a part of the personal property of a person who dies intestate.

DISTRIBUTION. The disposition of the personal property of one who dies intestate.

DOMICIL. That place where a man has his true, fixed, and permanent home and principal establishment, and to which, whenever, he is absent, he has the intention of returning.

DONEE. One to whom a gift is made.

DONOR. One who makes a gift.

DOWER. The life estate of a wife, after her husband's death, in one-third of all the land of which he was seised during coverture.

DURESS. Unlawful constraint.

EASEMENT. A right in the owner of one parcel of land to a use in the land of another.

EJECTMENT. A form of action for the recovery of possession of real estate.

EMANCIPATE (A CHILD). To free a child from the parental power and control.

ENFEOFF. To invest with an estate by feoffment. (See FEOFFMENT).

EQUITY. The system of jurisprudence administered by the courts of equity.

ERRANT. Wandering; itinerant.

ERROR, WRIT OF. A writ issued from a court of appellate jurisdiction to a lower court directing it to transmit to the appellate court for review, the record of an action which has been heard in the lower court.

ESCHEAT. A reversion to the state of property left by one dying intestate and without heirs or next of kin.

ESTOP (See ESTOPPEL).

ESTOPPEL. That which estops or precludes one from setting up certain facts, or from taking a certain position, because of some prior inconsistent act or conduct.

EXECUTION. The act of carrying into effect the final judgment or decree of a court.

EXECUTOR (See ADMINISTRATOR).

EXONERATION (IN SURETYSHIP). The right which a surety has, on payment of the debt, to look to the principal debtor for reimbursement.

EX PARTE. On one side only; as a *hearing ex parte*, where only one side is present.

EXTRADITION. The surrender by one state or country to another, on its demand, of a person charged with crime, that he may be dealt with according to law.

EXTRAJUDICIAL. That which is done outside of the regular course of a judicial proceeding; as an *extrajudicial opinion* (remarks of a judge not necessary to the decision of the case before him. Such remarks are called *obiter dicta*, or more commonly, *dicta*).

FACTOR. A commercial agent who is entrusted with the possession and control of merchandise consigned to him by his principal for the purpose of sale and who sells in behalf of the latter, but in his own name.

FEE-SIMPLE. A freehold estate of inheritance, absolute and unqualified; the largest estate one can have in land.

FEE-TAIL. An estate of inheritance which descends to certain classes of particular heirs, instead of to heirs generally.

FELONY. An offense of considerable gravity; a crime above the grade of *misdemeanor*. In the United States the word is defined by several of the statutes and codes to include all crimes punishable by death or imprisonment in a penitentiary or state prison.

FEOFFEE. One to whom a feoffment is made.

FEOFFMENT. A common law method of passing title to land by making a livery of seisin.

FORFEITURE. The loss of an estate, franchise, or other property, by the act of the law and as a consequence of some misfeasance, negligence or omission.

FREEHOLD. An estate of inheritance, or for life, in land or other real property, held in free tenure.

GENERAL WARRANTY. The name of a covenant of warranty inserted in a deed, by which the grantor warrants the title against the lawful claims of all persons whatsoever.

GIFT MORTIS CAUSA. A gift of personal property made by one in contemplation of his approaching death, but with the intent that if he should survive the gift shall not take effect.

GRAND JURY. A body of men (usually twenty-three) who inquire as to the commission of offenses, hearing evidence only against the accused, and in proper cases return *indictments* or accusations against such accused.

GUARANTY. A promise to answer for the payment of some debt, or the performance of some duty, in case of the failure of another person, who, in the first instance, is liable to such payment or performance.

HABEAS CORPUS. A writ directed to a person detaining another, commanding him to bring the prisoner before the court for the purpose of an inquiry as to the legality or illegality of the restraint.

HEREDITAMENTS. Things capable of being inherited. A word used in conveyancing as the widest expression for real property of all kinds. The term *corporeal hereditament* means one which is tangible, and is practically synonymous with *land*. *Incorporeal hereditaments* are those which are not tangible, and are generally the rights and profits annexed to or issuing out of land.

HOLOGRAPHIC WILL. A will written entirely by the testator in his own hand.

HUNDRED. One of the divisions of an English county or shire under the Saxon organization. A hundred comprised one hundred free families.

IMPANEL. To make up a list of the jurors who have been selected for the trial of a particular cause.

IMPEACHMENT OF WASTE. Liability of one in possession of real estate for a term for waste committed.

IMPEACHMENT OF WITNESS. Proof that a witness who has testified is unworthy of credit.

INCORPOREAL HEREDITAMENT (See HEREDITAMENTS).

INDENTURE. Formerly a deed in two copies with notched or irregular edges so that the two copies could be identified by fitting the edges together. Now any deed by which two or more parties enter into reciprocal obligations.

INDICTMENT. An accusation presented by a grand jury.

INFANT. A person not of full age; a minor.

INFORMATION. An accusation in the nature of an indictment, but presented by a competent public officer on his oath of office instead of by a grand jury.

IN PERSONAM. Against the person. Applied to actions where the direct object is to impose upon the defendant a personal obligation to obey the order, judgment, or decree of the court. (See IN REM.)

IN REM. Against the thing. Applied to actions where the direct object

is to reach and dispose of specific property within the jurisdiction of the court, or of some interest in it. (See IN PERSONAM).

INTERPLEADER. An action in equity which lies at the instance of one having property claimed by rival claimants to make them *interplead* or contest the right to such property between themselves.

INTESTATE. Without a will. Applied to a deceased person.

JEOPARDY. Danger; peril. The danger of conviction and punishment which the defendant in a criminal action incurs when he is brought to trial.

JOINT AND SEVERAL. An obligation against two or more which may be enforced against all jointly, or against each individually.

JOINT TENANCY. An estate in which the tenants have one and the same interest, owning by one and the same conveyance, commencing at one and the same time, and held by one and the same undivided possession. The important incident of joint tenancy is survivorship, by which, on the death of one joint tenant, the entire interest goes to the survivors, and finally to the last survivor.

JUDICIAL NOTICE. A term used to express the doctrine that a court will, of its own knowledge, assume certain facts to be true without the production of evidence in support of them. It is said that the court *takes judicial notice* of such facts.

JURY. The body of men (usually twelve) who decide questions of fact in ordinary trials at law.

JURY, GRAND (See GRAND JURY).

LACHES. Such delay or failure to act as will bar a person's rights.

LAPSED LEGACY (See LEGACY).

LEGACY. A bequest or gift of personal property by will. A *lapsed* legacy is one which fails to vest by reason of the death of the legatee before the testator, or before the time for vesting.

LEGATEE. One to whom a legacy is given.

LEVY. A seizure of property to satisfy a judgment.

LICENSE. A permit to do an act which would otherwise be unlawful, as to enter another's land, but not creating an easement.

LICENSEE. One to whom a license is given. (See LICENSE).

LIEN. A charge imposed upon specific property, by which it is made security for the payment of a debt, or the performance of an act.

LIMITATIONS, STATUTE OF. (See STATUTE OF LIMITATIONS).

LIVERY OF SEISIN. The ceremony, at common law, for transferring the possession of land by a grantor to a grantee. It was usually performed by the parties going together upon the land and the grantor delivering to the grantee a twig, clod, key, or other symbol.

LOCUS IN QUO. The place in which.

MAGNA CHARTA. The great charter of liberty granted by King John of England to the barons, at Runnymede, June 15, 1215.

MALFEASANCE. The wrongful or unjust doing of some act.

MALICE. Ill will toward some person. Generally a wrongful act done intentionally and without just cause or excuse is said to show malice.

MALICE AFORETHOUGHT. Deliberate, predetermined malice. The term is most generally used to define the crime of murder, which is defined as the unlawful killing of a human being with malice aforethought.

MALICE PREPENSE (The same as MALICE AFORETHOUGHT).

MISDEMEANOR. A criminal offense which does not amount to the grade of felony. (See FELONY).

MISFEASANCE. Not doing a lawful act in a proper manner, or omitting to do it as it should be done.

MISTAKE OF LAW. An erroneous conclusion as to the legal effect of certain facts owing to an imperfect knowledge of the law.

MORTIS CAUSA. In contemplation of death. (See GIFT MORTIS CAUSA).

NEGLIGENCE. The omission to do something which a reasonable man, guided by those considerations which ordinarily regulate the conduct of human affairs, would do, or doing something which a prudent and reasonable man would not do.

NEGOTIABLE. Capable of being transferred by assignment, indorsement, or delivery, as a negotiable bill of exchange or promissory note.

NOMINAL DAMAGES. A trifling sum awarded to the plaintiff in an action, where the plaintiff has suffered no substantial damage, but where there has nevertheless been a technical invasion of his rights or a breach of duty by the defendant.

NON COMPOS MENTIS. Not of sound mind.

NON CONSTAT. It does not appear; it is not clear or evident.

NON-FEASANCE. An omission to perform a duty.

NUISANCE. Something which wrongfully disturbs one in the enjoyment of real property or of a public highway, as an offensive odor or an obstruction in the highway.

NUNCUPATIVE WILL. A will which depends merely upon oral evidence, having been declared or dictated by the testator in his last illness before a sufficient number of witnesses, and afterwards reduced to writing. A nuncupative will cannot pass the title to realty, and its effect as regards personalty is limited by many conditions and restrictions.

OBLIGEE. One in whose favor an obligation exists.

OBLIGOR. One who is bound by an obligation.

PARTICULAR ESTATE. A limited estate which is taken out of a fee, and which precedes a remainder; as an estate for years, or for life. (See REMAINDER).

PARTICULARS, BILL OF. (See BILL OF PARTICULARS.)

PERSONAL PROPERTY. Property of a personal or movable nature, as distinguished from real property.

PLAINTIFF. The party who brings an action at law.

PLEADING. That branch of the law which relates to the written allegations of claims and defenses used in an action in court.

PLEDGEE. One to whom a pledge is made.

PLEDGOR. One who makes a pledge.

POSTHUMOUS CHILD. One born after the death of its father; or, when the Cæsarean operation is performed, after the death of its mother.

PRÆCIPE. A written order directed to the clerk of a court requesting him to issue a summons. It is the means by which actions at law are commonly begun, the præcipe being written out and signed by the plaintiff or his attorney.

PROFIT A PRENDRE. A right to take soil, gravel, minerals, and the like from the land of another. It is an interest in the estate.

PRIMA FACIE. At first sight; on the face of it. A party to a suit is said to make a *prima facie* case when he has made a sufficient showing to entitle him to judgment unless a further showing is made by the other side.

PRESCRIPTION. A mode of acquiring title by adverse possession for a period of time fixed by law.

PRESUMPTIVE EVIDENCE. Any evidence which is not direct and positive.

PROBATE. The act or process of proving a will in a court which has jurisdiction of the estates of decedents. A *probate* court is such a court.

PROCESS. Generally, a writ served upon a defendant for the purpose of compelling him to appear in court.

PROCEDURE. A term used to denote the body of rules whereby rights are effectuated through the application of the proper remedies. The law of procedure is commonly called *adjective law*, which see.

PROMISEE. One to whom a promise is made.

PROMOTER (OF A CORPORATION). One who takes an active part in the organization of a corporation.

QUASH. To annul; to make void, as to *quash* an indictment.

QUASI. Like; corresponding to.

QUASI-CONTRACT. An obligation in the nature of a contract, which is implied by law.

REAL PROPERTY. Lands, tenements, and hereditaments.

RECEIVER. One appointed by the court to take possession and control of property pending litigation and some final order of the court.

RELEVANCE. In the law of evidence, *relevance* means sufficiently related to the subject matter of inquiry to be admissible in evidence. (See COMPETENCE).

REMAINDER. An estate limited to take effect and be enjoyed after another estate (called the *particular* estate) is determined. (See PARTICULAR ESTATE).

REMAINDER-MAN. One to whom a remainder is given.

REPLEVIN. An action to recover possession of goods.

RESCISSION. The cancelling or annulling of a contract or deed.

RES GESTÆ. Circumstances, facts, and declarations which grow out of the main fact, are more or less contemporaneous with it, and serve to illustrate its character, as for example, spontaneous statements made by an engineer immediately after an accident, concerning the cause of the accident, are said to be part of the *res gestæ*.

RESIDENCE. The place where one makes his home.

REVERSION. The residue of an estate left in the grantor or his heirs, or in the heirs of a testator, commencing in possession on the determination of a particular estate granted or devised.

RIPARIAN. On the shore. *A riparian owner* or *proprietor* is one who owns land on the shore.

SCIRI FACIAS. A writ founded upon some record, requiring the party against whom it is brought to show cause why the party bringing it should not have advantage of such record.

SEISED. Possessed of an estate in fee.

SEISIN. The possession of a fee in realty.

SET-OFF. A counter claim or cross-demand set up by a defendant against the claim of a plaintiff.

SPECIAL WARRANTY. The name of a covenant of warranty in a deed, by which the grantor warrants the title against the claims of persons claiming "by, through, or under" the grantor or his heirs.

SPECIFIC PERFORMANCE. A character of relief granted by a court of equity by compelling a party to do the specific act which he has agreed to do, as to execute a deed, instead of merely to respond in money damages.

SUBPŒNA. A writ directing a person to appear as a witness. A *subpœna duces tecum* is one requiring him to bring with him a book, document, or other thing under his control.

SUBROGATION. The putting of a third person, who has performed an obligation, in the position of the creditor, so that he can exercise against the debtor all the rights which the creditor might have exercised.

SUBSTANTIVE LAW. That branch of the law which deals with the rights of persons, and with conduct which is an infringement of such rights.

SUMMONS. A writ directed to the sheriff or other proper officer requiring him to notify the person named in the writ that an action has been brought against him and that he is required to appear, on a day named, and answer the complaint in such action.

SUPERSEDEAS. A writ which causes a suspension or stay of proceedings under another writ previously issued.

SURETY. One who at the request of another, and for the purpose of securing to him a benefit, becomes responsible for the performance by the latter of some act in favor of a third person.

STAR CHAMBER. An English court of very ancient origin which was presided over by the members of the privy council and two judges of the courts of common law. In the reigns of Henry VIII and his successors it became so oppressive that it was finally abolished.

STATUTE OF LIMITATIONS. A statute barring all right of action after the lapse of a certain period of time, from the time when a cause of action accrues.

STATUTE OF USES (See Trust).

STATUS. Legal position or condition.

SUI JURIS. Having legal capacity to manage one's own affairs; not under any legal disability.

TENANCY IN COMMON. A holding by two or more of the same land with interests accruing under different titles, or accruing under the same title but at different periods, or conferred by words of limitation importing that the grantees are to take in distinct shares. The term is used in distinction from *joint tenancy*.

TESTAMENT. A will.

TOKEN. A document or sign of the existence of a fact.

TORT. A private or civil wrong or injury.

TORTFEASOR. One who commits a tort.

TREASON. The offense of attempting to overthrow the government of the state to which the offender owes allegiance, or of betraying the state into the hands of a foreign power. By the United States Constitution "treason against the United States shall consist only in levy-

ing war against them, or in adhering to their enemies, giving them aid and comfort." Art. 3, § 3, cl. 1.

TRESPASS. An invasion of another's right of security of person or of property. A form of action which lies for the redress of any unlawful injury done to the plaintiff by the immediate force and violence of the defendant.

TRESPASS AB INITIO. Trespass from the beginning. Applied to an act which is lawful at the time it is commenced, but which has its character changed by a subsequent unlawful act, so that the doer is considered as having acted unlawfully from the beginning.

TRESPASS ON THE CASE (See ACTION ON THE CASE).

TRUST. An equitable or beneficial right or title to land or other property held for the beneficiary by another, in whom resides the legal title or ownership, recognized by courts of equity. A trust differs from a *use* in that under the former there is imposed upon the legal owner (called the trustee) some active duty to be performed in connection with the trust, while under the latter there is not. The effect of the *Statute of Uses* (1536) is to make the latter take effect as legal estates in the beneficiary.

TRUST-RES. The property which is the subject of a trust.

ULTRA VIRES. Beyond the power. Applied to acts of a corporation beyond the powers conferred by its charter.

USE (See TRUST).

VENDEE. One who buys, generally real property.

VENDOR. One who sells, generally real property.

VENUE. Locality; place. Also, the heading of a legal document showing the state and county to which it relates.

VERIFIED. Confirmed or substantiated by oath.

VICINAGE. Neighborhood; vicinity.

WAIVER. The surrender of some right or privilege which the law gives.

WARRANT. To engage or promise that a certain fact or state of facts, in relation to the subject matter of a transaction, is, or shall be as it is represented to be.

WARRANTY, GENERAL (See GENERAL WARRANTY).

WARRANTY, SPECIAL (See SPECIAL WARRANTY).

WHARFINGER. One who owns or keeps a wharf for the purpose of receiving and shipping merchandise to or from it for hire.

YEAR BOOKS. Books of reports of English cases decided in the period from the reign of Edward I to that of Henry VIII. They were published annually.

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YEARS (see TENANT FOR YEARS)—
lease for (see LEASE FOR YEARS).
term of, IV, 4.
YEAR TO YEAR—
lease from (see LEASE FROM YEAR TO YEAR).

# ABBREVIATIONS

## To American and English Reports and Treatises

A. An. Anon.....Anonymous.
Abb. Adm. .....Abbott's Admiralty U. S. District Court.
Abb. App. Dec.....Abbott's New York Court of Appeals.
A. B.....Anonymous, at the end of Bendloe, Rep. 1661.
Abb. Dec. .....Abbott's Decisions, N. Y.
Abb. N. C.....Abbott's New Cases, N. Y.
Abb. Pr. .....Abbott's Practice, New York.
Abb. Pr. (N. S.).....Abbott's Practice, New Series, New York.
Abr. Ca. Eq.....Abridgment of Cases in Equity.
Abb. U. S.....Abbott, U. S. Circuit and District Courts.
Acc. or Ag. or Agr.....Accord or Agrees.
A. C.....Appeal Court, Chancery.
Act. .....Acton's Reports, Prize Causes.
Adams .....Adams (N. H.)
Add. .....Addison, Pennsylvania County Court.
Add. E. R.....Addams' Ecclesiastical Reports.
Ad. & E.....Adolphus and Ellis' Reports, K. B.
Adm. .....Admiralty.
Adv. S. U. S.....Advance Sheets, U. S. Supreme Court.
Aik. .....Aiken's Vermont.
Aiken .....Aiken (Vt.).
A. K. Marsh.....A. K. Marshall, Kentucky.
Al. .....Aleyn's Reports, K. B.
Ala. .....Alabama Reports.
Ala. Sel. Cas.....Alabama Select Cases, Alabama.
Alaska .....Alaska Reports.
Alb. Law J.....Albany Law Journal.
Alc. Reg. C.....Alcock's Registry Cases, Ireland.
Alden .....Alden's Condensed Reports, Pennsylvania.
Allen .....Allen, Massachusetts.
Alison, Prac.....Alcock and Naptor, K. B., Ireland.
Allison, Princ.....Allison's Principles of ditto.
Amb. .....Ambler's Reports, Chancery.
Am. Cr. Rep. .....American Criminal Reports.

Am. Dec. .....American Decisions.
A. & E. Corp. Cas.....American and English Corporation Cases.
A. & E. Ency .....American and English Encyclopedia of Law.
Am. Law Rec..... American Law Record (Cin.)
Amer. Law Reg. & Rev..American Law Register and Review.
Amer. Law Rev.....American Law Review.
Am. Law T. Rep.....American Law Times Reports.
Am. Neg. Cases.....American Negligence Cases.
Am. Neg. Repts.....American Negligence Reports.
Am. Rep. .....American Reports.
Am. St. Rep.....American State Reporter.
Annaly .....Reports, time Hardwicke, K. B.
Anno. Cas.....American and English Annotated Cases.
Anst. .....Anstruther's Reports, Exch.
And. .....Anderson's Reports, C. P.
Andr. .....Andrew's Reports, K. B.
Ans. Con.....Anson's Contracts.
Anthon N. P.....Anthon, New York Cases at Nisi Prius.
App. .....Appleton (Me.)
App. Cas. .....Appeal Cases Eng. Law Reports.
App. D. C.....Appeal Cases (D. C.)
App. Div. .....Appellate Division, (N. Y.)
App. & S.....Appleton and Shepley (Me.)
Ariz. .....Arizona.
Ark. .....Arkansas.
Arkley .....Arkley's Judiciary Reports, Scotland.
Arms. M. & O.....Armstrong, Mecartney and Ogle's Reports, N. P., Ireland.
Ashm. .....Ashmead, Pennsylvania.
Ass. .....Book of Assize.
Asp. .....English Maritime Cases by Aspinall.
Atk. .....Atkyn's Reports, Chancery.
Atl. .....Atlantic Reporter.
B. & A. .....Barnewall and Alderson's Reports, K. B.
B. & Ad. .....Barnewall and Adolphus' Reports, K. B.
Bac. Abr.....Bacon's Abridgment.
Bailey .....Bailey, South Carolina.
Bailey Eq.....Bailey's Equity, South Carolina.
Baldw. .....Baldwin, U. S. Circuit Court, Third Circuit.
Ball & B. .....Ball & Beatty's Reports, Chancery, Ireland.
Banc. Sup.....Upper Bench.
Bank. Reg.....Bankruptcy Register.
Bar. & Arn.....Barron and Arnold's Election Cases.
Ban. & A.....Banning and Arden's Patent Cases (U. S.).
Barb. .....Barbour, New York Supreme Court.
Barb. (Ark.) .....Barber (Ark.)

Barb. Ch. ....Barbour, New York Chancery.
Barn. & Adol. ....Barnewall and Adolphus' Reports, K. B.
Barn. & Ald. ....Barnewall and Alderson's Reports, K. B.
Barn. C. ....Barnardiston's Reports, Chancery.
Barn. & Cress ....Barnewall and Cresswell's Reports, K. B.
Barn. K. B. ....Barnardiston's Reports, K. B.
Barnes ....Barnes' Notes, C. P.
Barr ....Barr (Pa.)
Barr & Aust ....Barron and Austin's Election Cases.
Batt. ....Batty's Reports, K. B., Ireland.
Baxt ....Baxter (Tenn.)
Bay ....Bay, South Carolina Law.
B. & B. ....Broderip and Bingham's Reports, C. P.
B. & C. ....Barnewall and Cresswell's Reports, K. B.
B. C. C. ....Bail Court Cases, Lowndes and Maxwell.
B. or C. B. ....Common Bench.
B. C. R. ....Bail Court Reports, Saunders and Cole.
Beasl. ....Beasley's New Jersey Equity.
Beatt. ....Beatty's Chancery Reports, Ireland.
Beav. ....Beavan's Reports, Rolls Court.
Bee Adm. ....Bee's Admiralty, U. S. District Court.
Bel. ....Bellewe Reports, K. B.
Bel. App. ....Bell's Cases on Appeal from Scotland.
Bell C. (folio & 8vo.) ....Bell (R.), Cases, Court of Session.
Bell's C. C. ....Bell's Crown Cases.
Ben. ....Benedict, U. S. District Court.
Benl. or Bendl. ....Benloe or Bendloe's Reports, K. B.
Benl. & Dal. ....Benloe and Dalison's Reports, C. P.
Benn. ....Bennett (Cal.)
Berry Ins. Dig. ....Berryman's Insurance Digest.
Bibb ....Bibb, Kentucky.
Bing. ....Bingham's Reports, C. P.
Bing. N. C. ....Bingham's New Cases, C. P.
Binn. ....Binney, Pennsylvania.
Bisbee & Simond's ....Bisbee and Simond's Board of Trade.
Biss. ....Bissell, U. S. Circuit Court, Seventh Circuit.
Bli. ....Bligh's Reports, House of Lords.
Bl. ....Blount.
B. & L. ....Browning and Lushington's Admiralty Reports.
Black ....Black, U. S. Supreme Court.
Black., W. ....Sir Wm. Blackstone's Reports, K. B.
Blackf. ....Blackford, Indiana.
Black., H. ....Henry Blackstone's Reports, C. P.
Bla. Com. ....Blackstone's Commentaries.
Bl. D. & Osb. ....Blackham, Dundas & Osborne's Reports, N. P., Ireland.

Bland .....Bland, Maryland Chancery.
Blatchf. .....Blatchford, U. S. Circuit Court, 2nd Circuit.
Blatch. & H. Adm.....Blatchford & Howland's Admiralty, U. S. District Court.
Blatchf. Prize Cas.....Blatchford's Prize Cases, U. S. Dist. Ct.
Bli. N. S.....Bligh's Reports, New Series.
Bl. R.....Mr. Justice Blackstone's Reports.
B. Mon.....B. Monroe, Kentucky.
B. N. C.....Brook's New Cases, K. B.
B. N. P.....Buller's Nisi Prius.
Bond .....Bond, U. S. Circuit Court, Sixth Circuit.
Bos. & Pul.....Bosanquet and Puller's Reports, C. P.
Bos. & P. N. R.....Bosanquet and Puller's New Reports, C. P.
Bosw. .....Bosworth, New York Superior.
B. & P.....Bosanquet and Puller's Reports, C. P.
Br. .....Alexander Bruce's Reports, Court of Session.
Brac. .....Bracton de Legibus.
Bradf. .....Bradford, New York Surrogate.
Bradwell .....Illinois Appellate.
Branch .....Branch (Fla.).
Brayt .....Brayton, Vermont.
Br. Brev. Jud. & Ent....Brownlow, Brevia Judicialia, etc.
Br. Bro. .....Brooke, Browne, Brownlow.
Breese .....Breese, Illinois Reports.
Brev. .....Brevard, South Carolina Law.
Brewst. .....Brewster, Pennsylvania.
Bridg. .....Bridgman's Reports, C. P.
Bridg.....Orlando Bridgman's Reports, C. P.
Brightly, Elect. Cas....Brightly Election Cases, Pennsylvania.
Brightly N. P.....Brightly, Court of Nisi Prius, Pennsylvania.
Br. N. C.....Brooke's New Cases, K. B.
Bro. Ab. .....Brooke's Abridgment.
Bro. C. C. .....Brown's Chancery Reports (Eden or Belt).
Brock. .....Brockenbrough, U. S. Circuit Court, 4th Cir.
Brock. & H.....Brockenbrough and Holmes, Virginia.
Brod. & B.....Broderip and Bingham's Reports, C. P.
Bro. P. C.....Brown, Parliament Cases.
Bro. Stair.....Brodie's Notes & Sup. to Stair's Institution, Scotland.
Bro. Supp. .....Brown's Sup. Morrison's Dict. Ct. of Session.
Bro. Syn. .....Brown's Synop. of Decisions, Ct. of Session.
Brown .....Brown's Judiciary Reports, Scotland.
Brownl. .....Brownlow and Goldsborough's Reports, C. P.
Brunner Col. Cas.....Brunner's Collected Cases, U. S.
B. & S.....Best and Smith's Reports, Q. B.
Buck .....Buck's Reports in Bankruptcy.

Bull. N. P. ..... Buller's Nisi Prius.
Bulst ..... Bulstrode's Reports, K. B.
Bunb. ..... Bunbury's Reports, Ex.
Burn. ..... Burnet, Wisconsin Territory.
Burr. ..... Burrow's Reports, K. B.
Burr. S. C. ..... Burrow's Settlement Cases.
Busb. Eq. ..... Busbee, North Carolina Equity.
Busb. L. ..... Busbee, North Carolina Law.
Bush ..... Bush, Kentucky.
Bynk. ..... Bynkershoek.
Byth. Pr. ..... Bythewood's Precedents.
C ..... Codex (Juris Civilis).
Ca. ..... Case, or Placita.
Ca. C. L. ..... Cases in Crown Law.
Cai ..... Caii, or Gaii, Institutiones.
Caines ..... Caines, New York Law.
Caines' Cas. ..... Caines' Cases, New York Law.
Cal. ..... Callis, or California.
Calld. ..... Calthorpe's Reports, K. B.
Call ..... Call, Virginia.
Calth. ..... Calthorpe's Reports, K. B.
Cam. & N. ..... Cameron & Norwood, North Carolina Law.
Camp. N. P. ..... Campbell's Reports, Nisi Prius.
Cam. Scacc. ..... Camera, Scaccarii, Exchequer Chamber.
Ca. Pra. K. B. ..... Cases of Practice in King's Bench.
Car. H. & A. ..... Carrow, Hamerton and Allen, Session Cases.
Car. Law Repos. ..... Carolina Law Repository, N. C.
Carr. & Kir. ..... Carrington's and Kirwan's Reports, N. P.
Carr. & M. ..... Carrington and Marshman.
Carr. & P. ..... Carrington and Payne's Reports, N. P.
Carp. P. C. ..... Carpmael's Patent Cases.
Cart. ..... Carter, Ind.
Cart. ..... Carter's Reports, C. P.
Cary ..... Cary's Reports, Chancery.
Carth. ..... Carthew's Reports, K. B.
Cas. C. R. ..... Cases temp. Will. III. (12 Mod.).
Cas. L. Eq. ..... Cases in Law and Equity (10 Mod.).
Ca. P. or Parl. ..... Cases in Parliament.
Cas. Pra. C. P. ..... Cases of Practice, Common Pleas.
Cas. Six Cir. ..... Cases on the Six Circuits, Ireland.
Cas. t. Talb. ..... Cases time Talbot, Chancery.
Cas. temp. F. ..... Cases temp. Finch.
Cas. temp. Holt ..... Cases in the time of Holt, C. J. K. B.
Cas. t. K. ..... Cases time King, Chancery.
Cas. temp. H. ..... Cases time Hardwicke, K. B.
Casey ..... Casey (Pa.)

Cawl. .....Cawlep.
C. B. .....Common Bench Reports.
C. B. N. S.....Common Bench Reports, New Series.
C. C. A.....U. S. Circuit Court of Appeals Reports.
C. C.....Cases in Chancery or Crown Cases.
C. C.....Code Civil Francais, or Code Napoleon.
C. C. R.....Crown Cases Reversed.
C. E. Green .....C. E. Green, N. J.
Cent. Dig. .....Century Digest.
Cent. Law J.....Central Law Journal.
C. & K.....Carrington and Kirwan's Reports, N. P.
Ch. .....Chancery Division.
Chand. .....Chandler, N. H.
Chand. .....Chandler, Wisconsin.
Charlt. R. M.....R. M. Charlton (Ga.).
Charlt. T. U. P.....T. U. P. Charlton (Ga.).
Chase .....Chase, U. S.
Ch. Cas. .....Cases in Chancery.
Ch. Cas. Ch. .....Choice Cases in Chancery.
Chest. Co. Rep.....Chester County Reports, Pennsylvania.
Cheves Eq. .....Cheves, South Carolina Equity.
Cheves.....Cheves, South Carolina Law.
Ch. Pl.....Chitty on Pleading.
D. Chip. .....D. Chipman's Reports, Vermont.
N. Chip. .....N. Chipman's Reports, Vermont.
Ch. Pre.....Precedents in Chancery.
Chit. Con. .....Chitty on Contracts.
Chit. G. P.....Chitty's General Practice.
Chit. Rep. .....Chitty's Reports, Bail Court.
Cin. R. .....Cincinnati Superior Court Reporter (Ohio).
Cin. Superior Ct.....Superior Court of Cincinnati.
Cir. Ct. Dec.....Circuit Court Decisions (Ohio).
City Ct. R.....City Courts Reports, New York.
Civ. Proc. R.....New York Civil Procedure
C. J. C.....Cowper's Judiciary Cases.
Clark .....Clark, Pennsylvania.
Clarke .....Clarke (Iowa).
Clarke Ch.....Clarke, New York Chancery.
Clev. Law Repr.....Cleveland Law Reporter, Ohio.
Clay..... Clayton's Reports, York Assize.
Cl. & Fin.....Clarke and Finnelly Reports, House of L.
Cliff.....Clifford, U. S. Circuit Court, First Circuit.
C. L. R.....Common Law Reports.
C. M. & R.....Crompton, Meeson and Roscoe's Reports, Ex.
C. & M.....Crompton and Meeson's Reports, Ex.
Co. .....Coke's Reports.

Code Civ. . . . . .Code Civil Francaise, or Code Napoleon.
Code Comm. . . . . .Code de Commerce.
Cod. Jur. Civ. . . . . .Codex (Juris Civilis), Justinian Codex.
Code Nap. . . . . .Code Napoleon.
Code P. . . . . .Code Penal.
Code P. C. . . . . .Code de Procedure Civile.
Code R. (N. S.) . . . . . .Code Reports, New Series, New York.
Code Rep. . . . . .Code Reporter (N. Y.).
Co. Ent. . . . . .Coke's Entries.
Coldw. . . . . .Coldwell, Tennessee.
Colo. . . . . .Colorado.
Colo. App. . . . . .Colorado Appeals.
Colo. Law Rep. . . . . .Colorado Law Reporter.
Cole Cas. . . . . .Coleman's Cases, New York Law.
Cole & C. Cas. . . . . .Coleman & Caines' Cases, New York Law.
Coly. C. C. . . . . .Collyer's Cancery Cases.
Co. Lit. . . . . .Coke on Littleton (1 Inst.).
Colles . . . . . .Colles' Cases in Parliament.
Colt Tax. . . . . .Colt's Taxes.
Comb. . . . . .Comberbach's Reports, K. B.
Co. M. C. . . . . .Coke's Magna Charta (2 Inst.).
Com. . . . . .Comyn's Reports, K. B. and C. P.
Com'l. Cas. . . . . .Commercial Cases.
Com. Dig. . . . . .Comyn's Digest.
Com. Law Rep. . . . . .Common Law Reports.
Comst. . . . . .New York Court of Appeals.
Conf. (N. C.) . . . . . .Cameron & Norwood's North Carolina Law.
Con. & Law. . . . . .Connor & Lawson's Reports, Ireland.
Conn. . . . . .Connecticut.
Consist. . . . . .Consistory Reports, Haggard.
Const. (S. C.) . . . . . .Treadway's Reports, S. Carolina, Constitutional.
Cont. . . . . .Contra.
Const. N. S. (S. C.) . . . .Mills' Reports, S. Carolina, Constitutional.
Co. Cop. . . . . .Coke's Copyholder.
Coo. & Al. . . . . .Cooke and Alcock's Reports, K. B., Ireland.
Cooke . . . . . .Cooke, Tennessee.
Co. on Court. . . . . .Coke 4 (Inst.).
Coop. t. Brough. . . . . .Cooper's Cases temp. Brougham.
Coop. . . . . .Cooper (G.) Chancery.
Cooper . . . . . .Cooper's Reports, Chancery.
Co. P. C. . . . . .Coke's Pleas of the Crown (3 Inst.).
Corb. & D. . . . . .Corbett and Daniell, Election Cases.
Co. Rep. . . . . .Coke's Reports, K. B.
Cot. . . . . .Cotton.
Cow. . . . . .Cowen, New York Law.
Cowp. . . . . .Cowper's Reports, K. B.

Cox .....Cox, Arkansas.
Cox C. C.....Cox's Criminal Cases.
Cox .....Cox's Reports, Chancery.
Coxe .....Coxe, New Jersey Law.
C. P. Rep.....Common Pleas Reporter (Pa.).
C. & P.....Carrington and Payne's Reports, N. P.
C. S.....Court of Session, Scotland.
C. Theod.....Codex Theodosiani.
C. T. N.....Cases in the time of L. C. Northington.
Cr. .....Craig, Jus. Feudale, Scotland.
Crabbe .....Crabbe, U. S. District Court, Pennsylvania.
Cranch .....Cranch, U. S. Supreme Court.
Cranch C. Ct.....Cranch, U. S. Circuit Court for Dist. of Col.
Cranch Pat. Dec.....Cranch's Patent Decisions (U. S.).
Craw. & D. Ab. C.....Crawford and Dix's Abridged Cases, Ireland.
Craw. & D.....Crawford and Dix's Circuit Cases, Ireland.
Cr. Law Mag.....Criminal Law Magazine.
Cro. (1, 2, 3).....Croke (Eliz., Jam. Cha.), K. B. and C. P.
Cro.....Keilway's Reports by Serj. Croke.
Cromp. & J. .....Crompton and Jarvis' Reports, Ex.
Cromp. & M. .....Crompton and Meeson's Reports, Ex.
Cromp. M. & R.....Crompton, Meeson and Roscoe's Reports, Ex.
Cr. & Ph.....Craig and Phillips, Chancery.
Cr. & St.....Craigie and Stewart's Reports, House of L.
Cru. .....Cruise's Digest.
Ct. Cl.....Court of Claims (U. S.).
Cunn. .....Cunningham's Reports, K. B.
Curt. .....Curtis' Federal Appellate Courts.
Curtis Fed. App. Cts....Curtis' Federal Appellate Courts.
Cush. .....Cushing, Massachusetts.
Cush. Elec. Cas.....Cushing, Story & Josselyn's Elect. Cases, Mass.
Cushm. .....Cushman, Mississippi Reports.
Cyc. .....Cyclopedia of Law and Procedure.
D .....Dictum Digest (Juris Civilis).
Dak. .....Dakota.
Dal. .....Dallison's Reports, C. P.
Dall. (U. S.).....Dallas, U. S. Court.
Dall. (Pa.) .....Dallas, Pennsylvania.
Dallas .....Dallas Styles, Scotland.
Dall. Dec. .....Dallam's Texas Decisions.
Dalr. .....Dalrymple's Decision, Court of Session.
Daly .....Daly, New York Common Pleas.
Dan. .....Daniel's Reports, Ex. Eq.
Dav. .....Davy's Reports, Ireland.
Dana .....Dana, Kentucky.
Dan. & Ll.....Dansen and Lloyd, Mercantile Cases.

Daveis .....Daveis, U. S. District Court of Maine.
Day .....Day, Connecticut.
D. & C.....Deacon and Chitty, Bankruptcy Reports.
D. C.....District of Columbia.
D. Chip.....D. Chapman, Vermont.
Dea. & Sw.....Deane and Swabey's Reports, P. & D.
Deac. & Ch.....Deacon and Chitty, Bankruptcy Reports.
Deady .....Deady, U. S. Courts Oregon and California.
Dears. & B. C. C.....Dearsley and Bell's Crown Cases.
Dears. C. C.....Dearsley's Crown Cases.
Deas & And.....Deas and Anderson's Reports, Court of Sess.
De G. .....De Gex's Bankruptcy Reports.
De G. F. & J.....De Gex, Fisher and Jones' Reports, Chancery.
De Ge & J.....De Gex and Jones' Reports, Chancery.
De G. J. & S.....De Gex, Jones and Smith's Reports, Chancery.
De G. M. & G.....De Gex, Macnaghten and Gordon's Reports, Ch.
De G. & Sm.....De Gex and Smale's Reports, Chancery.
Del. .....Delaware.
Del. Ch. .....Delaware Chancery.
Del. Co. R.....Delaware County Reports (Pa.).
Dem. Sur.....Demarest's Surrogate, New York.
Den. Cr. C.....Denison's Crown Cases.
Denio .....Denio, New York Law.
Desaus .....Desaussure, South Carolina Equity.
Dev. Eq.....Devereaux, North Carolina Equity.
Dev. L. .....Devereaux, North Carolina Law.
Dev. Ct. Cl.....Devereaux, United States Court of Claims.
Dev. & B.....Devereaux and Battle, North Carolina Law.
Dev. & B Eq.....Devereaux and Battle, North Carolina Equity.
Di. Dy.....Dyer's Reports, K. B.
Dick. .....Dickinson, New Jersey.
Dick. .....Dickens' Reports, Chancery.
Dig. .....Digest of Writs.
Dill. .....Dillon, U. S. Circuit Court, Eighth Circuit.
Dirl. .....Dirleton's Decisions, Court of Sessions.
Disney .....Disney, Cincinnati Superior Court.
D. & L. .....Dowling and Lowndes, Bail Court Reports.
D. & M. .....Davison Merivale, Q. B. Reports.
D. N. S.....Dowling, New Series, Bail Court Reports.
Dod .....Dodson's Reports in Admiralty.
Dom. Proc.....Domini Proctor Cases, House of Lords.
Dougl. (Mich.) .....Douglas, Michigan Supreme Court.
Doug. .....Douglas' Reports, K. B.
Dow. & C. .....Dow and Clark, House of Lords Cases.
Dow. & L. .....Dowling and Lowndes' Bail Court Reports.
Dow. & Ry. .....Dowling and Ryland's K. B. Reports.

Dow. & R. M. C. ..... Dowling and Ryland's Magistrates' Cases.
Dow. & Ry. N. P. ..... Dowling and Ryland's Nisi Prius.
Dowl. P. C. ..... Dowling's Practice Cases.
D. P. B. ..... Dampier, J., Paper Book.
D. & R. ..... Dowling and Ryland's K. B. Reports.
Drew. ..... Drewry's Reports, Chancery.
Drew. & Sm. ..... Drewry and Smalle's Reports, Chancery.
Drury ..... Drury's Reports, Chancery, Ireland.
Dr. & Wal. ..... Drury and Walsh, Chancery Reports, Ireland.
Dr. & War. ..... Drury and Warren, Chancery Reports, Ireland.
D. & S. ..... Doctor and Student.
Dudley (Ga.) ..... Dudley, Georgia.
Dudley (Law) ..... Dudley, South Carolina Law.
Dudley Eq. ..... Dudley, South Carolina Equity.
Duer ..... Duer, New York City Superior Court.
Durnf. & E. ..... Durnford and East, or Term Reports, K. B.
Dunlop or D. ..... Dunlop, Bell and Murray's Reports.
Durie ..... Durie's Reports, Court of Session.
Dutch. ..... Dutcher, New Jersey Law.
Duv. ..... Duvall, Kentucky.
E ..... Easter Term.
E. & A. ..... Eccles. and Admiralty Reports.
Eag. & Yo. ..... Eagle and Yonge's Tithe Cases.
East ..... East's Reports, K. B.
East P. C. ..... East's Pleas of the Crown.
Ecc. & Ad. ..... Eccles. and Admiralty Reports.
E. of Cov. ..... Earl of Coventry's Case.
Eden ..... Eden's Rep. of Northington's Cases, Chancery.
Edg. ..... Edgar's Reports, Court of Session.
Edicta ..... Edicts of Justinian.
Edm. Sel. Cas. ..... Edmond's Select Cases, New York Law.
E. D. Smith. ..... E. D. Smith, New York.
Edw. Ch. ..... Edwards, New York Chancery.
Edw. A. R. ..... Edward's Admiralty Reports.
El. B. & E. ..... Ellis, Blackburn and Ellis's Reports, Q. B.
El. B. & S. ..... Ellis, Best and Smiths' Reports, Q. B.
El. & Bl. ..... Ellis and Blackburn's Reports, Q. B.
El. & El. ..... Ellis and Ellis's Reports, Q. B.
Eng. ..... English, Arkansas.
Eq. Ca. Abr. ..... Equity Cases Abridged.
Eq. Rep. ..... Equity Reports.
Esp. ..... Espinasse's Rep. or Digest, N. P.
Exch. Rep. ..... Welsby, Hurlstone and Gordon's Reports.
Exp. ..... Expired.
Fed. Repr. ..... Federal Reporter.
F. or Fitz. ..... Fitzherbert.

Fac. Coll. ..... Faculty Collection of Reports, Ct. of Session.
Fairf. ..... Fairfield, Maine.
Falc. ..... Falconer's Reports, Court of Session.
Falc. & Fitz. ..... Falconer and Fitzherbert, Election Cases.
Far. ..... Farresley (7 Mod. Rep.).
F. B. C. ..... Fonblanque's Bankruptcy Cases.
Fed. ..... Federal Reporter.
Fed. Cas. ..... Federal Cases.
Ferg. ..... Ferguson's Consistory Reports, Scotland.
F. & F. ..... Foster and Finlason's Reports, Nisi Prius.
Fin. ..... Finch's Reports, Chancery.
Fish. Prize Cas. ..... Fisher's Prize Cases (U. S.).
Fish. Pat. Cas. ..... Fisher's Patent Cases (U. S.).
Fish. Pat. Rep. ..... Fisher's Patent Reports (U. S.).
Fitz-G. ..... Fitz-Gibbon's Reports, K. B.
Fl. ..... Fleta.
Fla. ..... Florida.
Flan. & K. ..... Flanagan and Kelly's Reports, Rolls, Ireland.
Flip. ..... Flippin, U. S.
Fogg. ..... Fogg, New Hampshire.
For. ..... Forrest's Reports, Ex.
Forb. ..... Forbe's Decisions, Court of Session.
Forester ..... Cases time of Talbot, Chancery.
Fort. de Laud. ..... Fortescue de Laudibus Angliæ Legum.
Fortes ..... Fortesque's Reports, K. B.
Fost. ..... Foster, New Hampshire.
Fost. Forst. ..... Foster's Reports, Crown Law.
Fount. ..... Fountainhall's Decisions, Court of Session.
Fox & S. ..... Fox and Smith's Reports, K. B., Ireland.
fr. ..... Fragment or Excerpt—or Laws—Pandects.
Free. Chy. ..... Freeman's Chancery Reports.
Freem. Ch. ..... Freeman, Mississippi Chancery.
Freem. (Ill.) ..... Freeman, Illinois.
Freem. K. B. ..... Freeman's Reports, K. B.
Ga. ..... Georgia.
Ga. Dec. ..... Georgia Decisions.
G. & J. ..... Glyn and Jameson, Bankruptcy Reports.
Gal. & Dav. ..... Gale and Davison's Reports, K. B.
Gall. ..... Gallison, U. S. Circuit Court, First Circuit.
George ..... George, Mississippi.
Gib. Cod. ..... Gibson's Codex.
Gilb. Exch. ..... Exchequer.
K. B. ..... King's Bench.
R. ..... Reports.
Us. ..... Uses.
Gif. ..... Gifford's Reports, Chancery.

Gil. .....Gilfillan, Minnesota.
Gilb. .....Gilbert's Cases in Law and Equity.
C. P. ..... Common Pleas.
Gill .....Gill, Maryland.
Gill & J. .....Gill & Johnson, Maryland.
Gilm. .....Gilman, Illinois.
Gilm. .....Gilmour's Reports, Court of Session.
Gilmer .....Gilmer, Virginia.
Gilp. .....Gilpin, U. S. District Court, Pennsylvania.
Gl. .....Glossa, a Gloss or Interpretation.
Glanv. .....Glanville de Legibus.
Glassc. .....Glasscock's Reports in Ireland.
Godb. .....Godbolt's Reports, K. B.
Gods .....Godesborough's Reports, K. B.
Godol .....Godolphin.
Gosf. .....Gosford's Reports, Court of Session.
Gow's N. P. C. .....Gow's Nisi Prius Cases.
Grant Cas. .....Grant's Cases, Pennsylvania.
Gratt. .....Grattan, Virginia.
Gray .....Gray, Massachusetts.
Green Ch. .....Green, New Jersey Chancery.
Green Cr. Law R. .....Green, Criminal Law Reports (N. Y.)
Green J. S. .....Green, J. S. (N. J.).
Green L. .....Green, New Jersey Law.
Green H. W. .....Green, H. W. (N. J.).
C. E. Green .....C. E. Green, New Jersey, Chancery.
Greene (Iowa) .....Greene, Iowa.
Greenl. .....Greenleaf, Maine.
Gro. de J. B. .....Grotius de Jure Belli.
Gwm. .....Gwillim's Tithe Cases.
H. or Hil. .....Hilary Term.
Had. .....Earl of Haddington's Reports, Ct. of Session.
Hag. Adm. .....Haggard's Admiralty Reports.
Hag. Con. .....Haggard's Consistory Reports.
Hag. Ec. .....Haggard's Ecclesiastical Reports.
Hailes .....Haile's Decisions, Court of Session.
Hall .....Hall, New York Superior Court.
Halst .....Halsted, New Jersey Law.
Halst. Ch. .....Halsted, New Jersey Chancery.
Ham. .....Hammond, Ohio.
Hanm. .....Hanmer's Lord Kenyon's Notes, K. B.
Hand .....Hand, New York.
Handy .....Handy, Cincinnati Superior Court.
Hare. .....Harcarse's Decisions, Court of Session.
Hard. .....Hardin, Kentucky Law.
Hard. .....Hardre's Reports, Ex.

Hare .....Hare's Reports, Chancery.
Har. & G.....Harris & Gill, Maryland.
Har. & J.....Harris & Johnson, Maryland.
Har. & McH.....Harris & McHenry, Maryland.
Harp. .....Harper, South Carolina Constitutional Court.
Harp. Eq.....Harper, South Carolina Equity.
Har. (Del.) .....Harrington, Delaware.
Harr. Dig. .....Harrison's Digest, all the Courts.
Harr. (Mich.) .....Harrington, Michigan Chancery.
Harr. (N. J.).....Harrison, New Jersey Law.
Harris .....Harris (Pa.).
Hart Pat. Dec.....Hart's Patent Decisions Digest.
Ha. & Tw.....Hall and Twell's Chancery Reports.
Harv. Law Rev.....Harvard Law Review.
Hask. .....Haskell, U. S.
Hawaiian I.....Hawaiian Islands.
Hawk. P. C.....Hawkin's Pleas of the Crown.
Hawks .....Hawks, North Carolina Law.
Hayes .....Hayes' Reports, Exchequer, Ireland.
Hayes & J.....Hayes & Jones' Reports, Exchequer, Ireland.
Hayw. (Tenn.) .....Haywood, Tennessee.
Hayw. (N. C.).....Haywood, North Carolina Law and Equity.
Hayw. & H.....Haward & Hazleton (D. C.).
H. & C.....Hurlstone and Coltman's Reports, Ex.
Head .....Head, Tennessee.
Hein .....Heineccius.
Heisk .....Heiskell, Tennessee.
Hem. & M.....Hemming and Miller, Chancery.
Hempst. .....Hempstead, U. S. and Courts in Arkansas.
Hen. & M .....Hening & Munford, Virginia.
Her. .....Herne.
Het. .....Hetley's Reports, C. P.
Hill .....Hill, New York Law.
Hill (S. C.).....Hill, South Carolina Law.
Hill Eq. .....Hill, South Carolina Equity.
Hill & D. Supp.....Lalor's Suppl. to Hill & Denio, N. Y. Law.
Hilt. .....Hilton, New York Common Pleas.
Hilly. .....Hillyer, California.
H. L. Rep. Cas.....Clark and Finnelly's House of Lords Rep. N. S.
H. & N.....Hurlstone and Norman's Reports, Ex.
Hob. .....Hobart's Reports, K. B.
Hoffm. Ch.....Hoffman, New York Chancery.
Hoffm. Land Cas. .....Hoffman's Land Cases, U. S. Dist. (Cal.)
Hog. .....Hogan's Reports, Rolls, Ireland.
Holmes .....Holmes, U. S. Circuit Court, First Circuit.
Holt .....Holt's Reports, K. B.

Holt N. P.....Holt's Nisi Prius Reports.
Home (Clk).....Clerk Home's Reports, Court of Session.
Hope .....Thomas Hope's Reports, Court of Session.
Hopk. Ch.....Hopkin's, New York Chancery.
Hop. & C.....Hopwood & Coltman, Registration App. Cas.
Hop. & P.....Hopwood & Philbrick, Registration App Cas.
Houst. .....Houston, Delaware.
Houst. Cr. Cas.....Houston's Criminal Cases, Delaware.
Hov. Suppl.....Hovenden's Supplement to Vesey, Jun.
How. .....Howard, United States Supreme.
How. App. Cas.....Howard's Appeal Cases, New York.
How. (Miss.) .....Howard, Mississippi.
How. Pr. .....Howard's Practice, New York.
How. Prac. (N. S.)....Howard's Practice, New Series (N. Y.).
H. P. C.....Hale's Pleas of the Crown.
H. & R.....Harrison and Rutherford's Reports, C. P.
Hud. & B.....Hudson and Brooke's Reports, K. B., Ireland.
Hughes .....Hughes, U. S. Circuit Court, Fourth Circuit.
Hughes .....Hughes, Kentucky.
Hume .....Hume's Decisions, Court of Session.
Humph .....Humphrey, Tennessee.
Hun. .....Hun, New York Supreme.
Hut. .....Hutton's Reports, C. P.
Idaho .....Idaho.
I. J. C.....Irvine's Justiciary Cases.
Ill. .....Illinois.
Ill. App.....Illinois Appellate.
Ind. .....Indiana.
Ind. App.....Indiana Appellate.
Indian T.....Indian Territory.
In F. .....In fine. At the end of a title, law, or a paragraph.
In. F. Pr.....In fine principii.
In Pr. .....In fine principio.
Ins. .....Insurance.
Ins. Law J.....Insurance Law Journal.
1, 2, Inst.....(1, 2) Coke's Inst.
Inst., 1, 2, 3.....Justinian's Institutes, lib. 1, tit. 2, sec. 3.
Interst. Com. R.....Interstate Commerce Reports.
Io. or Iowa..... .....Iowa.
I. R. C. L.....Irish Reports, Common Law Series.
Ired. .....Iredell, North Carolina Law.
Ired. Eq.....Iredell, North Carolina Equity.
I. R. Eq.....Irish Reports, Equity Series.
Ir. Law & Eq. .....Irish Law and Equity Reports, Ireland.
Ir. Law & Ch. .....Irish Law and Equity Reports, N. S.
Iv. Ersk.....Ivory's Notes on Erskine's Institute.

Jac. or Jacob.....Jacob's Reports, Chancery.
Jac. & W.....Jacob and Walker's Reports, Chancery.
Jan. Angl.....Jani Anglorum.
J. Ctus.....Jurisconsultus.
Jebb C. C.....Jebb's Crown Cases, Ireland.
Jebb & B.....Jebb and Bourke's Reports, K. B., Ireland.
Jebb & S.....Jebb and Syme's Reports, K. B., Ireland.
Jeff. .....Jefferson, Virginia.
Jenk. .....Jenkins' Reports, Ex.
J. J. Marsh.....J. J. Marshall, Kentucky.
John. .....Johnson's Reports, Chancery.
John & H.....Johnson and Hemming's Reports, Chancery.
Johns. .....Johnson, New York Law.
Johns. Cas. .....Johnson's Cases, New York Law.
Johns. Ch. .....Johnson, New York Chancery.
Jo. & Lat.....Jones & Latouche's Rep. Ch., Ireland.
Jon. 1, 2 .....Jones' W. and T. Reports, K. B.
Jones .....Jones, Pennsylvania.
Jones & McMurtie.....Jones and M., Pennsylvania.
Jones .....Jones' Reports, Exch., Ireland.
Jones & C.....Jones and Carey's Reports, Exch., Ireland.
Jones Eq. .....Jones, North Carolina Equity.
Jones L. .....Jones, North Carolina Law.
Jones T. .....Jones' Reports, K. B.
Jones W. .....Jones' Reports, K. B.
Jones & S.....Jones and Spencer, New York.
J. P.....Justice of the Peace.
Jud. .....Judgments.
Jud. Repos .....Judicial Repository (N. Y.).
Jur. .....The Jurist, Reports in all the Courts.
Jur. Sc. .....Scottish Jurist, Court of Session.
Jur. St. .....Judicial Styles, Scotland.
Just. Inst.....Justinian's Institutes.
J. & W.....Jacob and Walker's Reports, Chancery.
Kames .....Kames' Decisions, Court of Session.
Kan. .....Kansas.
Kan. App.....Kansas Appeals.
Kay .....Kay's Reports, Chancery.
Kay & J.....Kay and Johnson's Reports, Chancery.
K. B. .....King's Bench.
K. C. R.....Rep. tem. King, C. Chancery.
Keb. .....Kebble's Reports, K. B.
Keen .....Keen's Reports, Rolls Court.
Keilw. Keil .....Keilway's Reports, K. B.
Kel. .....Sir John Kelying's Reports, K. B.
Kel. 1, 2.....Wm. Kelynge's Reports, 2 parts, Chancery.

Kelly .....Kelly, Georgia.
Ken. .....Kennet.
Kent Comm.....Kent's Commentaries.
Keny. .....Kenyon's Notes by Hanmer, K. B.
Kern. .....Kernan, New York Appeals.
Keyes .....Keyes, New York Appeals.
K. & G. R. C.....Keane and Grant's Registration Cases.
Kilk. .....Lord Kilkerran's Decisions, Court of Session.
Kirby .....Kirby, Connecticut.
Kit.....Kitchen.
Kn. .....Knapp's Reports, Privy Council.
Kn. & O.....Knapp and Ombler, Election Cases.
Kulp .....Kulp, Pennsylvania.
Ky. .....Kentucky.
Ky. Dec. .....Kentucky Decisions.
Ky. Law Rep.....Kentucky Law Reporter.
La. .....Lane's Reports, Exchequer.
La. .....Louisiana.
La. Ann.....Louisiana Annual.
Lacey R'y Dec.....Lacey's Railway Decision Digest.
Lalor Supp.....Lalor's Supplement to Hill & Denio's (N. Y.).
Lamb. .....Lambard.
Lanc. Law Rev.....Lancaster Law Review.
Lans. Ch.....Lansing's Chancery, New York.
Lans. .....Lansing, New York Supreme.
Lat. .....Latch's Reports, K. B.
Law J. Ch.....Law Journal Chancery.
Law J. K. B.....Law Journal, King's Bench.
Law J. M. Cas.....Law Journal, Magistrates' Cases.
Law J. P.....Law Journal Probate.
Law J. P. C.....Law Journal Privy Cases.
Law J. Q. B.....Law Journal, Queen's Bench.
Law Rec. .....Law Recorder, Reports, Ireland.
Law Rep. .....Law Reporter (Mass.).
Law Rep. Ad. & Ec.....Admiralty and Ecclesiastical.
Law Rep. C. C.....Crown Cases Reserved.
Law Rep. Ch.....Chancery Appeal Cases.
Law Rep. C. P.....Common Pleas Cases.
Law Rep. Eq.....Equity Cases.
Law Rep. Ex.....Exchequer Cases.
Law Rep. H. L.....Scotch and Divorce App. Cases, H. of Lords.
Law Rep. H. L. Sc.....Scotch and Divorce App. Cases, H. of Lords.
Law Rep. P. & D.....Probate and Divorce.
Law Rep. Q. B.....Queen's Bench Cases.
Law Repos. (N. C.)....Carolina Law Repository, N. C. Law.
L. T.....Law Times.

L. &. C. .....Leigh and Cave, Crown Cases.
Ld. Kem. .....Kenyon's Reports, K. B.
Ld. Raym. .....Lord Raymond's Reports, K. B.
Lea .....Lea (Tenn.).
Leach .....Leach's Crown Law.
L. Ed. .....Lawyer's Edition Supreme Court Reports.
Lee .....Lee (Cal.)
Lee & H. .....Lee's Cases, temp. Hardwicke, K. B.
Leg. Chron. .....Legal Chronicle (Pa.).
Leg. Gaz. .....Legal Gazette, Pennsylvania.
Leg. Gaz. R. .....Legal Gazette Reports, Pennsylvania.
Leg. Int. .....Legal Intelligencer, Pennsylvania.
Leg. Op. .....Legal Opinions (Pennsylvania).
Leg. & Ins. Rep. .....Legal and Insurance Reporter.
Lehigh Val. Law Rep. ..Lehigh Valley Law Reporter.
Leigh .....Leigh, Virginia.
Leon .....Leonard's Reports, K. B.
Lev. .....Levinz's Reports, K. B.
Lew. C. C. .....Lewin's Crown Cases.
Lex. Merc. Red. .....Lex Mercatoria, by Beawes.
Ley .....Ley's Reports, K. B.
L. & G. temp. Plunk. ....Lloyd & Goold, temp. Plunkett, Chancery.
Lib. Ass. .....Liber Assisarum, Year Book, pt. 5.
Lib. Int. .....Liber Intrationum.
Lib. Pl. ..... Liber Placitandi.
Lib. Reg. .....Register Book.
Lil. Abr. .....Lily's Practical Register.
L. I. L. .....Lincoln's Inn Library.
Lil. .....Lily's Reports of Entries.
L. J. .....Law Journal, Reports in all the Courts.
Lind. or Lynd. .....Lindewood Provinciales.
Lind. Part. ..... Lindley's Partnership.
Litt. ..... Littell, Kentucky.
Litt. Sel. Cas. .....Littell's Select Cases, Kentucky.
Lit. .....Littleton's Reports, C. P.
Llo. & Goo. .....Lloyd and Goold, temp. Sugden, Chy., Ireland.
Lloyds S. Tr. .....Lloyd's State Trials.
L. Mag. .....The Law Magazine.
L. M. & P. .....Lowndes, Maxwell & Pollock's Rep., Bail Court.
Locc. .....Loccinius.
Lock. Rev. Cas. .....Lockwood's Reversed Cases New York Law.
Lofft .....Lofft's Reports, K. B.
Longf. & T. .....Longfield & Townsend's Rep., Exch., Ireland.
Long Quinto .....Year Book, pt. 10, K. B.
Loring & R. Elec. Cas. ..Loring & Russell's Election Cases, Mass.
Lower Ct. Dec. .....Lower Court Decisions (O.).

Low .....Lowell, U. S. District Court, Massachusetts.
L. P. B. .....Paper Book of Lawrence, J.
L. R. A. .....Lawyer's Reports Annotated.
L. R. A. (N. S.).....Lawyer's Reports Annotated, New Series.
L. Rev. .....The Law Review.
L. T. .....The Law Times, Reports.
Lud. E. C.....Luder's Election Cases.
Lush. .....Lushington's Admiralty Reports.
Lut. .....Lutwyche's Reports, C. P.
Lut. R. C.....Lutwyche's Registration Cases.
L. & Welsb.....Lloyd and Welsby's Commercial Reports.
M.....Morrison's Dictionary of Decisions.
M. & Ayr. R.....Montagu and Ayrton's Reports, Bankruptcy.
M. or Mich.....Michaelmas Term.
MacArthur .....MacArthur (D. C.).
MacArthur & M.....MacArthur & Mackey, D. C.
MacArthur's Pat. Cas...MacArthur's Patent Cases, U. S.
Mac. & G.....Macnaghten and Gordon's Reports, Chancery.
Mac. P. C.....McCroy's Patent Cases.
Mackey .....Mackey (D. C.)
Macl. & R.....Maclean and Robinson's Scotch Appeals.
Macph. .....Court of Session Cases, Third Series.
Macq. H. L. Cas.....Macqueen's Scotch Appeal Cases.
Mad. .....Maddox's Exchequer and Formulare.
Madd. .....Maddock's Reports Chancery.
Madd. Ch.....Maddock's Chancery Practice.
Mal. .....Malyne's Lex Mercatoria.
Man. .....Manning (Mich.)
Man. & G. .....Manning and Granger's Reports, C. P.
Man. & R. .....Manning and Ryland's Reports, K. B.
Man. Unrep. Cas.....Manning's Unreported Cases, Louisiana.
Manson .....Manson English Reports.
Manw. .....Manwood's Forest Law.
Mar. .....Marshall's Reports, C. P.
March.....March's Report, K. B.
Marsh. Dec.....Brockenbrough's Reports U. S. Circuit Court.
A. K. Marsh.....A. K. Marshall's Kentucky Reports.
J. J. Marsh. .....J. J. Marshall's Kentucky Reports.
Mart. (La.) .....Martin's Louisiana Reports.
Mart. (N. C.) .....Martin, North Carolina Law.
Mart. (N. S.).....Martin's Reports, New Series, Louisiana.
Mart. & Y.....Martin & Yerger, Tennessee.
Marvel .....Marvel (Del.)
Mason .....Mason, U. S. Circuit Court, First Circuit.
Mass. .....Massachusetts.
Maul. & Sel.....Maule and Selwyn's Reports, K. B.

McCahon .....McCahon, U. S. District Court, Kansas.
McAll. .....McAllister, U. S. District Court, California.
McCart. .....McCarter, New Jersey Equity.
McArthur .....McArthur, District of Columbia.
McCle. .....McCleland's Reports, Ex.
McCle. & Yo.....McCleland and Young's Reports, Ex.
McCord .....McCord, South Carolina Constitutional Court.
McCord Ch.....McCord, South Carolina Chancery.
McCrary .....McCrary, U. S.
McF. R.....McFarlane's Reports, Jury Court, Scotland.
McGloin .....McGloin, Louisiana.
McLean.....McLean, U. S. Circuit Court, Seventh Circuit.
McMull .....McMullan, South Carolina Law.
McMull Eq.....McMullan, South Carolina Equity.
Md. .....Maryland.
Md. Ch.....Maryland Chancery.
M. D. & D.....Montagu, Deacon & De Gex's Rep'ts.
Me. .....Maine.
Mee & W.....Meeson and Welsby's Reports, Ex.
Meigs .....Meigs, Tennessee.
Mer. or Meriv.....Merrivale's Reports, Chancery.
Metc. (Ky).....Metcalfe, Kentucky.
Metc. .....Metcalf, Massachusetts.
Mich. .....Michigan.
Mich. N. P.....Michigan Cases at Nisi Prius.
Mich. Pr. Rep.....Fuller's Michigan Practice Reports.
Middx. Sit.....Sittings for Middlesex at Nisi Prius.
Miles .....Miles, Philadelphia District Court.
Mill Const. .....Mill, South Carolina Constitutional Court.
Miller .....Miller, Louisiana.
Mill. Dec.....Miller's Decisions, U. S. 8th Circuit Court.
Milw. .....Milward's Reports, Irish Ecclesiastical.
Minn. .....Minnesota.
Minor .....Minor, Alabama.
Misc. Rep.....Miscellaneous Reports, New York.
Miss. .....Mississippi.
M. L. Rep. Super. C.....Montreal Law Reports Superior Court.
M. & McA.....Montagu and McArthur's Reports.
Mo. .....Missouri.
Mo. .....Moore's Report, K. B.
Mo. App. .....Missouri Appeal, St. Louis Court of App.
Mo. App. Rep. .....Missouri Appellate Reporter.
Mod. Ca. .....Modern Cases.
Mod. C. L. & Eq. 1, 2...Modern Cases in Law and Equity.
Mod. Ent. .....Modern Entries.
Mod. Rep. .....Modern Reports, K. B.

Mol. .....Molloy's Chancery Reports, Ireland.
Monag. .....Monaghan (Pa.).
Mon. or B. Mon.....B. Monroe, Kentucky.
Mon. or T. B. Mon.....Monroe, Kentucky.
Mont. .....Montana.
Mont. & B.....Montagu & Bligh's Reports, Bankruptcy.
Mont. B. C.....Montague's Reports, Bankruptcy.
Mont. & Chit.....Montagu & Chitty's Reports, Bankruptcy.
Montg. Co. Law Repr...Montgomery County Law Reporter, Pa.
Moo. Ind. Ap.....Moore's India Appeals.
Moo. C. C.....Moody's Crown Cases.
Moo. J. B.....J. B. Moore's Reports, C. P.
Moo. & M. .....Moody and Malkin's Reports, N. P.
Moo. & P. .....Moore and Payne's Reports, C. P.
Moo. P. C. C. .....Moore's Privy Council Cases.
Moo. P. C. C. N. S.....Moore's Privy Council Cases, New Series.
Moo. & R.....Moody and Robinson's Reports, N. P.
Moo. & S. .....Moore and Scott's Reports, C. P.
Moore .....Moore (Ark.).
Moore (C. P.).....Moore Common Pleas Reports.
Morr. Dict. .....Morrison's Dictionary of Decisions.
Morr. Min. R.....Morrison's Mining Reports.
Morris .....Morris, Iowa.
Mos. .....Moseley's Reports, Chancery.
M. & S.....Maule and Selwyn's Reports, K. B.
Munf. .....Munford, Virginia.
Murph. .....Murphey, North Carolina Law.
Murr. .....Murray's Reports, Jury Courts, Scotland.
Myl. & Cr.....Mylne and Craig's Reports, Chancery.
Myl. & K. .....Mylne and Keene's Reports.
M. & W.....Meeson and Welsby's Reports, Ex.
Myr. Prob.....Myrick's Probate Court Reports, California.
N. Benl. .....New Benloe, K. B. Reports.
N. B. R.....National Bankruptcy Register, U. S.
N. C. .....North Carolina.
N. C. .....Notes of Cases Ecclesiastical and Maritime.
N. C. C. A.....Negligence and Compensation Cases Annotated.
N. Chip. .....North Carolina Term Reports.
N. C. Term R.....N. Chipman, Vermont.
N. D. .....No date, as applied to time of publications.
N. D. .....North Dakota.
N. E. .....Northeastern Reporter.
Neb. .....Nebraska.
Nels. .....Nelson's Reports, Chancery.
Nev.....Nevada.
Nev. & M. .....Neville and Manning's Reports, K. B.

Nev. & P. .....Neville and Perry's Reports, K. B.
Newb. Adm. .....Newberry's Admiralty, U. S. District Court.
New Rep. .....New Reports in all Courts.
N. H. .....New Hampshire.
Nic. Ha. C. .....Nicholl, Hare and Carrow, Railway Cases.
Nisi Prius & Gen. T. Rep. Nisi Prius and General Term Reports (O.).
N. J. Eq. .....New Jersey Equity.
N. J. L. .....New Jersey Law.
N. J. Law J. .....New Jersey Law Journal.
N. L. .....Nelson's Lutwyche, Reports, C. P.
N. M. .....New Mexico.
No. Ca. Eccl. & M. .....Notes of Cases Eccl. and Maritime Courts.
Nol. Sett. .....Nolan's Settlement Cases.
Norris .....Norris, Pennsylvania.
North .....Northington's Reports, by Eden Chancery.
Northam. Law Rep. .....Northampton Law Reporter.
Nott & H. .....Nott & Huntington, U. S. Court of Claims.
Nott & M. .....Nott & McCord, South Carolina.
Noy .....Noy's Reports, K. B.
N. R. .....New Reports, by Bosanquet and Puller, C. P.
N. R. .....Not Reported.
N. S. .....New Series.
N. W. .....Northwestern Reporter.
N. Y. .....New York Court of Appeals.
N. Y. Ann. Cas. .....New York Annotated Cases.
N. Y. App. Div. .....New York Appellate Division.
N. Y. Cr. R. .....New York Criminal Reports.
N. Y. St. Rep. .....New York State Reporter.
N. Y. Super. Ct. .....New York Superior Court.
N. Y. Supr. Ct. .....New York Supreme Court.
N. Y. Supp. .....New York Supplement.
O. Benl. .....Old Benloe, C. P.
O. C. D. .....Ohio Circuit Court Decisions.
Off. Ex. .....Office of Executors.
O. G. .....Official Gazette (Patent Office).
Ohio .....Ohio Supreme Court.
Ohio Cir. Ct. R. .....Ohio Circuit Court Reports.
Ohio Dec. .....Ohio Decisions.
Ohio N. P. .....Ohio Nisi Prius.
O. L. D. .....Ohio Lower Court Decisions.
Ohio St. .....Ohio State.
Ohio S. & C. P. Dec. .....Ohio Superior and Common Pleas Decisions.
o. p. .....Out of print.
Okl. .....Oklahoma.
Olc. Adm. .....Olcott's Admiralty, U. S. Dist. Court, N. Y.
Or. .....Oregon.

Ord. Cla. .....Orders, Lord Clarendon's.
Ord. Ch. .....Orders in Chancery.
Oreg. .....Oregon.
Orl. Bridgman.....Orlando Bridgman's Reports, C. P.
Outerbridge .....Outerbridge, Pennsylvania.
Overt .....Overton, Tennessee.
Ow.....Owen's Reports, K. B.
Pac. .....Pacific Reporter.
Pa. Co. Ct. R.....Pennsylvania County Court Reports.
Pa. Dist. R.....Pennsylvania District Reports.
Paige .....Paige, New York Chancery.
Paine .....Paine, U. S. Circuit Court, Second Circuit.
Pal. .....Palmer's Reports, K. B.
Par. .....Parker's Reports, Ex.
Park. Cr.....Parker's Criminal, New York.
Pars. Eq. Cas.....Parsons, Pennsylvania Common Pleas.
Pa. St. .....Pennsylvania State.
Pa. Super. Ct.....Pennsylvania Superior Court Reports.
Pat. App. Cas.....Paton's Appeal Cases, House of Lords.
Patt. & H.....Patton, Jr., and Heath, Virginia App.
P. C. .....Pleas of the Crown.
P. C. Act .....Probate Court Act.
P. & D. .....Perry and Davidson's Reports, K. B.
Pea .....Peake's Reports, K. B.
Peak. Ad. Cas.....Peake's Additional Cases.
Peak. N. P. C.....Peake's Nisi Prius Cases.
Pears. .....Pearson, Pennsylvania.
Peck .....Peck, Tennessee.
Peck (Ill.) .....Peck, Illinois.
Pen. .....Pennington, New Jersey Law.
Penn. .....Pennsylvania.
Pennewill .....Pennewill (Del.).
Penn. Law Jour. Rep...Pennsylvania Law Journal Reports.
Penn. Legal Gazette Rep.Legal Gazette Reports.
Penning .....Pennington (N. J.).
Penny .....Pennypacker, Pennsylvania.
Pen. & W.....Penrose & Watts, Pennsylvania.
Per. & Dav.....Perry and Davidson's Reports, K. B.
Per. & K.....Perry and Knapp, Election Cases.
Pet. .....Peters, United States Supreme Court.
Pet. Adm. .....Peters, Admiralty, U. S. District, Pa.
Pet. C. Ct.....Peters, U. S. Circuit Court, Third Circuit.
P. F. Smith.....P. F. Smith, Pennsylvania.
Ph. .....Phillip's Reports, Chancery.
Phila. .....Philadelphia (Pa.).
Phila. Rep.....Philadelphia, Pennsylvania.

Phill. Eq. .....Phillips, North Carolina Equity.
Phill. L. .....Phillips, North Carolina Law.
Phillim. .....Phillimore's Reports, Ecclesiastical.
Pick. .....Pickering, Massachusetts.
Pickle .....Pickle, Tennessee.
Pig. & R. .....Pigott and Rodwell's Election Cases.
Pike .....Pike, Arkansas.
Pin. .....Pinney (Wis.).
Pinney .....Pinney, Wisconsin.
Pittsb. Leg. J. .....Pittsburg Legal Journal (Pa.).
Pittsb. Rep. .....Pittsburgh Reports.
Pl. Com. .....Plowden's Com. or Reports, K. B.
Pl. pla. P. p. .....Placita.
Pol. .....Pollexfen's Reports, K. B.
Poph. .....Popham's Reports, K. B.
2 Poph. .....Cases at the end of Popham's Reports.
Port. .....Porter, Alabama.
Port. Ind. .....Porter, Indiana.
Posey Unrep. Cas. .....Posey's Unreported Cases, Texas.
Pow. R. & D. .....Power, Rodwell and Low's Election Cases.
P. Pas. .....Eastern Term.
Pr. Ch. .....Precedents in Chancery, Finch.
Pr. Co. .....Prerogative Court.
P. R. C. P. .....Practical Register in Common Pleas.
Pr. Dec. (Ky.) .....Kentucky Printed Decisions, Sneed.
Pren. & Egan. .....Prentice & Egan's Commerce Clause.
Pr. Falc. .....President Falconer's Reports, Court of Sess.
Price or Pr. .....Price's Reports, Exchequer.
Prob. .....Probate Division.
Prob. Ct. Rep. .....Probate Court Reporter (O.).
Pr. Reg. Ch. .....Practical Register in Chancery.
Pr. St. .....Private Statute.
P. W. .....Peere William's Reports, Chancery.
Q .....Quorum.
Q. B. .....Adolphus and Ellis, Q. B. Reports, N. S.
Q. B. .....Law Reports, Queen's Bench Division.
Quincy .....Quincy, Massachusetts.
Q. War. .....Quo Warranto.
R. .....Resolved, Repealed.
Rail. C. .....Railway Cases.
Rand. .....Randolph, Virginia.
Rawle .....Rawle, Pennsylvania.
Raym. .....Raymond.
Ray. T. .....Sir Thomas Raymond's Reports, K. B.
Redf. .....Redfield, New York Surrogate's Court.
Reg. Brev. .....Register of Writs.

Rep. (1, 2, etc.).....1, 2, Coke's Reports, etc.
Rep. Ch. .....Reports in Chancery.
Rep. Eq. .....Gilbert's Reports in Equity.
Rep. Q. A.....Rep. temp. Q. Anne.
Rep. temp. Finch.....Finch's Reports, Chancery.
R. I.....Rhode Island.
Rice .....Rice, South Carolina Law.
Rice's Eq.....Rice, South Carolina Equity.
Rich. .....Richardson, South Carolina Law.
Rich. C. P.....Richardson's Practice, Common Pleas.
Rich. Eq. .....Richardson, South Carolina Equity.
Rich. Eq. Cas.....Richardson's Equity Cases (S. C.).
Rich & W. .....Richardson & Woodbury (N. H.).
Ridg. & H. .... .. ....Ridgeway, temp. Hardwicke, Chancery.
Ridg. L. & S.....Ridgeway, Lapp & Schoale's Rep'ts, K. B.
Ridgw. Ap.....Ridgeway's Appeals, Ireland.
Riley .....Riley, South Carolina.
Riley's Eq.....Riley, South Carolina Equity.
R. M. Charlt.....R. M. Charlton, Georgia.
Rob. A. .....Robinson's Admiralty, or App. Rep'ts.
Rob. E. .....Robertson's Ecclesiastical Reports.
Rob (La.) .....Robinson, Louisiana.
Rob. (N. Y.).....Robertsons (N. Y.).
Rob. (Va.) .....Robinson, Virginia.
Robb. Pat. Cas.....Robb's Patent Cases (U. S.).
Robert. Ap.....Robertson's Appeal Cases, Scotland.
Robt. .....Robertson, New York City Superior Court.
Roll .....Roll of the Term.
Roll. & Roll. Abr.....Rolle, Reports and Abridgment.
Root .....Root, Connecticut.
Rose .....Rose's Reports, Bankruptcy.
Ross L. C.....Ross's Leading Cases.
r. p.....Reprinting.
R. T. H.....Reports time of Hardwicke, C. J. B. R.
R. T. H.....Reports time of Holt, C. J. B. R.
Russ. .....Russell's Reports, Chancery.
Russ. & M. .....Russell and Mylne's Reports, Chancery.
Russ. & R. .....Russell and Ryan's Crown Case.
Ry. & M. .....Ryan and Moody, N. P. Reports.
S. §.....Section.
Sadler .....Sadler, Pennsylvania.
Salk. .....Salkeld's Reports, K. B.
Sandars' Just. .....Sandars, Justinian.
Sandf. .....Sandford, New York City Superior Court.
Sandf. Ch. .....Sandford, New York Chancery.
Sans. Ins. Dig.....Sansum's Insurance Digest.

Saund. .....Saunders' Reports, K. B.
Saund. & C.....Saunder's and Cole, Bail Court Reports.
Sau. & Sc.....Sause and Scully's Reports, Rolls, Ireland.
Sav. .....Saville's Reports, C. P.
Sawyer .....Sawyer, U. S. Circuit Court, 9th Circuit.
Sawy. .....Sawyer (U. S.).
Saxt. .....Saxton, New Jersey Equity.
Say. .....Sayer's Reports, K. B.
S. B. .....Upper Bench.
S. C. .....Same Case.
S. C. .....South Carolina.
Scam. .....Illinois Reports.
S. C. C.....Select Chancery Cases.
Sch. & Lef.....Schoale & Lefroy's Rep'ts, Chanc. Ireland.
Sc. Jur. .....Scottish Jurist, Court of Session.
Sc. L. R.....Scottish Law Reporter.
Sco. N. R.....Scott's New Reports, C. P.
Sco. or Scott.....Scott's Reports, C. P.
S. C. Rep.....Supreme Court Reports.
S. Ct. .....Supreme Court Reporter.
S. or S. & D.....Shaw & Dunlap, C't of Sessions, 1st Ser.
S. D. .....South Dakota.
S. E. .....Southeastern Reporter.
Sec. .....Section.
Sel. Ca.....Select Cases, Chancery.
Seld. .....Selden.
Seld. .....Selden, New York Court of Appeals.
Seld. Notes.....Selden's Notes (N. Y.).
Sem. .....Semble seems.
Serg. & R. .....Sergeant & Rawle, Pennsylvania.
Sess. Ca.....Session Cases, and Carrow, Hamerton & Allen.
Sh. .....Shaw's Reports, C't of Sess. Cases, 1st Series.
Sh. App. .....Shaw's Reports of Appeal Cases, H. of L.
Sh. Dig. .....Shaw's Digest of Decisions, Scotland.
Sh. & McL.....Shaw & McLean's Rep'ts, Appeal C's, H. of L.
Sheld. .....Shelden's Notes (N. Y.).
Shep. .....Shepley (Me.).
Shep. Touch.....Sheppard's Touchstone.
Show .....Shower's Reports, K. B.
Shower's P. C.....Shower's Parliament Cases.
Sid. .....Siderfin's Reports, K. B.
Silvernail .....Silvernail (N. Y.).
Sim. & St.....Simons and Stuart's Reports, Chancery.
Sim. or Sim. N. S.....Simons, or Simons's, N. S., Reports, Chanc.
Skin. .....Skinner's Reports, K. B.
Smed. & M.....Smedes & Marshall, Mississippi Law.

Smed. & M. Ch.....Smedes & Marshall, Mississippi Chancery.
Sm. & G.....Smale and Giffard's Reports, Chancery.
Smith .....Smith's Reports, K. B.
Smith (Ind.) .....Smith, Indiana.
Smith (N. Y.).....Smiths (N. Y.).
Smith P. F.....P. F. Smith (Pa.).
Smi. & Bat.....Smith and Batty's Reports, K. B. Ireland.
Sm. Con.....Smith's Contracts.
E. D. Smith.....E. D. Smith, New York Common Pleas.
Sm. L. C.....Smith's Leading Cases.
Smith, N. H.....Smith (N. H.)
Sm. R. & L.....Smith's Right & Law.
Smythe .....Smythe's Reports, C. P., Ireland.
Sneed (Ky.) .....Sneed, Kentucky Decisions.
Sneed (Tenn.) .....Sneed, Tennessee.
Sol. J.....Solicitor's Journal.
Som. .....Somner, Somners.
South .....Southard, New Jersey Law.
South .....Southern Reporter.
Southard .....Southard (N. J.).
S. P.....Same Point or Principal.
Speer .....Spears, South Carolina Law.
Speer Eq.....Spears, South Carolina Equity.
Spel. .....Spelman.
Spen. .....Spencer, New Jersey Law.
Spottis .....Sir R. Spottiswood's Reports, Court of Sess.
Spottiswoode .....Spottiswood's Styles, Scotland.
Spr. .....Sprague (U. S.).
Sprague .....Sprague's Decisions, U. S. Dist., Mass.
S. & S. .....Simons and Stuart's Reports, Chancery.
S. & Sm. .....Searlie & Smith's Reports, Probate and Div.
Stair .....Lord Stair's Report, Court of Session.
Stant .....Stanton (Ohio).
Stark, N. P.....Starkie's Reports, N. P.
Stat. W.....Stat. Westminster.
Steph. Com.....Stephen's Commentaries.
Stiles .....Stiles (Iowa).
Stew .....Stewart, Alabama.
Stew .....Stewart (N. J.).
Stew. & P.....Stewart & Porter, Alabama.
Stockt. .....Stockton, New Jersey Equity.
Story .....Story, U. S. Circuit Court, First Circuit.
Stra. .....Strange's Reports, K. B.
Strob. Eq.....Strobhart, South Carolina Equity.
Strob. .....Strobhart, South Carolina Law.
St. Tri.....State Trials.

Sty. ....Style's Reports, K. B.
Sumn. ....Sumner, U. S. Circuit Court, First Circuit.
Sup. Ct. ....Supreme Court Reporter.
Super. Ct. Rep. ....Superior Court Reports (Pa.).
S. W. ....Southwestern Reporter.
Swa. Ad. ....Swabey's Admiralty Reports.
Swan ....Swan, Tennessee.
Swans. ....Swanton's Reports, Chancery.
Sweeny ....Sweeny, New York Superior Court.
Sw. & Tr. ....Swabey & Tristram's Rep'ts, Probate & Div.
Taml. ....Tamlyn's Reports, Rolls.
Taney's Dec. ....Taney's Decisions, U. S. 4th Circuit Court.
Tanner ....Tanner (Ind.).
Tapp. ....Tappan, Ohio Common Pleas.
Taun. ....Taunton's Reports, C. P.
Tayl. Super. Ct. ....Taylor's Superior Court (N. C.).
Tayl. ....Taylor, North Carolina Law.
T. B. Mon. ....T. B. Monroe (Ky.).
Tenn. ....Tennessee Reports.
Tenn. Cas. ....Tennessee Cases (Shannon).
Tenn. Ch. ....Tennessee Chancery (Cooper).
Term (N. C.) ....Taylor, North Carolina, Term Reports.
Texas ....Texas Law.
Texas App. ....Texas Court of Appeals.
Tex. Civ. App. ....Texas Civil Appeals.
Tex. Cr. R. ....Texas Criminal Reports.
Tex. Supp. ....Texas Supplement.
Thach. Cr. Cas. ....Thacher's Massachusetts Criminal Cases.
Th. Dig. ....Theloall's Digest.
Thomp. Tenn. Cas. ....Thompson's Unreported Tennessee Cases.
Thomp. & C. ....Thompson & Cook, New York Supreme Court.
Tidd, P. ....Tidd's Practice.
Tiffany ....Tiffany (N. Y.).
Tinw. ....Lord Tinwald's Reports, Court of Session.
T. & M. ....Temple and Mew's Criminal Appeal Cases.
Toth. ....Tothill's Reports, Chancery.
T. R. ....Term Reports (Durnford and East), K. B.
Tr. Eq. ....Treatise of Equity.
Trin. ....Trinity Term.
Tudor Ca. M. L. ....Tudor's Leading Cases on Mercantile Law.
Tudor Cas. Pr. ....Tudor's Leading Cases on Real Property.
T. U. P. Charlt. (Ga.) ..T. U. P. Charlton, Georgia.
Turn. ....Turner.
Turn. ....Turner (Ark.).
Turn. & R. ....Turner and Russell's Reports, Chancery.
Tyrw. ....Tyrwhitt's Reports, Exchequer.
Tyler ....Tyler, Vermont.

U. K. ..... United Kingdom.
U. S. ..... United States.
U. S. App. ..... United States Appeals.
Utah ..... Utah Reports.
Va. ..... Virginia.
Va. Cas. ..... Virginia Cases, Virginia.
Van Ness ..... Van Ness, Prize Cases, U. S. Dist. Ct.
Vaugh ..... Vaughan's Reports, C. P.
V. & B. ..... Vesey and Beame's Reports, Chancery.
Vent. ..... Ventris' Reports, K. B.
Vern. ..... Vernon's Reports, Chancery.
Vern. & S. ..... Vernon and Scriven's Rep., K. B., Ireland.
Ves. ..... Vesey's Sen., Reports, Chancery.
Ves. jr. ..... Vesey's Jun., Reports, Chancery.
Ves. & Swa. Ad. ..... Swabey's Admiralty Reports.
Vin. Abr. ..... Viner's Abridgment.
Vin. Sup. ..... Viner's Supplement.
Vroom ..... Vroom, New Jersey Law.
V. S. ..... Very scarce.
Vt. ..... Vermont.
Walk. (Mich.) ..... Walker, Michigan Chancery.
Walk. (Miss.) ..... Walker, Mississippi.
Walk. (Pa.) ..... Walker's Pennsylvania.
Wall. ..... Wallace, U. S. Supreme Court.
Wall. C. Ct. ..... Wallace, U. S. Circuit Court, 3rd Circuit.
Wall. Jr. ..... Wallace, Jr., U. S. Circuit Court, 3rd Circuit.
Wall. Sr. ..... Wallace, Senior (U. S.).
Wallis ..... Wallis' Reports, Chancery, Ireland.
Ware ..... Ware, U. S. District Court, Maine.
Ware, 2d ed. ..... Ware, Second Edition, U. S. District, Me.
Wash. ..... Washington.
Wash. C. Ct. ..... Washington U. S. Circuit Court, 3rd Circuit.
Wash. Law R. ..... Washington Law Reporter (D. C.).
Wash. T. ..... Washington Territory.
Wash. (Va.) ..... Washington, Virginia.
Wats. ..... Watson.
Watts ..... Watts, Pennsylvania.
Watts & S. ..... Watts & Sergeant, Pennsylvania.
Web P. C. ..... Webster's Patent Cases.
Welsh ..... Welsh Registry Cases, Ireland.
Wend ..... Wendell, New York Law.
West, H. L. ..... West's Reports, House of Lords.
West & H. ..... West's Reports, Chancery, temp. Hardwicke.
Whart. ..... Wharton, Pennsylvania.
Whart. St. Tr. ..... Wharton's State Trials (U. S.).
Wheat ..... Wheaton, U. S. Supreme Court.
Wheel ..... Wheeler, New York Criminal.

Wheeler Cr. Cas .....Wheeler's Criminal Cases (N. Y.).
White & W. Civ. Cas. Ct. App. .....White & Wilson's Civil Cases Court of Appeals (Tex.).
Wight. .....Wightwicke's Reports, Exchequer.
Wilcox .....Wilcox (Ohio).
Willes .....Willes' Reports, K. B. and C. P.
Williams Vt.....Williams (Vt.).
Wilm. .....Wilmot's Notes and Opinions, K. B.
Wils. .....Wilson's Reports, K. B.
Wils. .....Wilson (Ind.).
Wils. Ch. .....Wilson's Chancery Reports.
Wils. Ex. .....Wilson's Exchequer Reports.
Wils. Wks. .....Wilson's Works.
Wilson, Civ. Cas Ct. App.Wilson's Civil Cases Court of Appeals (Tex.).
Win. .....Winch's Reports, C. B.
Wins. .....Winston, North Carolina Law.
Wins. Eq. .....Winston, North Carolina Equity.
Wis. .....Wisconsin.
Wis. Stat.....Wisconsin Statutes.
Withr. .....Withrow (Iowa).
Wkly. Dig.....Weekly Digest (N. Y.).
Wm. Rob. .....William Robinson's New Admiralty Reports.
Wms. .....Williams Rep., or Peere Williams' Chan.
W. 1, W. 2.....Statutes, Westminster, 1, 2.
Wolf. & B. .....Wolferstan and Bristow's Election Cases.
Wolf. & D. .....Wolferstan and Dew's Election Cases.
H. Wood .....Hutton Wood's Decrees in Tithe Cases.
Woodb. & M.....Woodbury & Minot, U. S. 1st Circuit Court.
Woods .....Woods, U. S. Circuit Court, 5th Circuit.
Woodw. Dec.....Woodward's Decisions (Pa.).
Woolw. .....Woolworth, U. S. Circuit Court, 8th Circuit.
W. R.....Weekly Reporter in all the Courts.
Wright .....Wright, Ohio Supreme Court.
Wright (Pa.).....Wright's Pennsylvania.
W. & S. App.....Wilson & Shaw's Reports, House of Lords.
W. Va. .....West Virginia.
Wyo. .....Wyoming Reports.
Wythe .....Wythe's Chancery (Va.).
Yale Law J.....Yale Law Journal.
Yates Sel. Cas.....Yates, New York Law.
Y. B.*.....Year Book.
Y. & C. .....Young and Collyer's Eq. Exch.

*The Year Books are usually referred to by the year of each king's reign, the initial letter of his name, and the page and number of the placita; to which is sometimes prefixed the initial letter of the term, e. g., M. 4 H. 7 18, 10—Michaelmas Term, 4th Henry VII., page 18, placitum 10.

Y. & C. C. C.....Young and Collyer's Chancery Cases.
Yeates .....Yeates, Pennsylvania.
Yelv. .....Yelverton's Reports, K. B.
Yerg. .....Yerger, Tennessee.
Y. & J.....Younge & Jervis' Reports, Exchequer.
You. .....Younge Reports, Exchequer.
You. & Coll. .....Younge and Collyer's Eq. Exch.
You. & Jer. .....Younge and Jervit's Reports, Exchequer.
Zab. .....Zabriskie, New Jersey Law.